

THE

JOURNAL OF THE SENATE

DURING THE

NINETEENTH SESSION

OF THE

LEGISLATURE OF THE STATE OF CALIFORNIA,

1871–72.

BEGAN ON MONDAY, THE FOURTH DAY OF DECEMBER, EIGHTEEN HUNDRED AND SEVENTY-ONE, AND ENDED ON MONDAY, THE FIRST DAY OF APRIL, EIGHTEEN HUNDRED AND SEVENTY-TWO.



SACRAMENTO:
T. A. SPRINGER, STATE PRINTER.
1872.

BOUND BY F. FOSTER, SACRAMENTO.

JOURNAL

OF THE

PROCEEDINGS OF THE SENATE.

CALIFORNIA LEGISLATURE—SENATE.

NINETEENTH SESSION.

SENATE CHAMBER,
Monday, December 4th, 1871.

The Senate met at twelve o'clock, M., pursuant to the requirements of the Constitution of California.

Lieutenant Governor Wm. Holden, the President, addressed the Senate as follows:

The hour fixed by the Constitution of California for the convening of the Legislature having arrived, I call the Senate to order.

The roll of the Senators holding over was called, and the following Senators responded:

James T. Farley, Edward Tompkins, George C. Perkins, Henry Larkin, Thomas Fowler, B. D. Wilson, M. P. O'Connor, E. M. Banvard, A. Comte, Jr., R. J. Betge, T. N. Wand, Charles Maclay, H. K. Turner, Wm. Irwin, Wm. Minis, S. C. Hutchings, and Stephen Wing.

The newly elected Senators presented their credentials, and took the oath of office, administered by the Hon. L. Ramage, Judge of the Sixth Judicial District of the State of California.

The following are the names of the Senators elect, who responded to the call of the roll:

M. C. Andross, Thomas Beck, John Boggs, B. F. Tuttle, David Boucher, L. D. Crane, J. J. De Haven, James A. Duffy, B. Dyer, Geo. S. Evans, S. J. Finney, D. Goodale, T. L. Keys, J. McMurry, James McCoy, H. J. McKusick, Jacob Neff, Geo. Oulton, W. W. Pendegast, W. T. Garratt, and Charles Kent.

By invitation of the President, Rev. W. R. Gober offered a prayer.

PARLIAMENTARY GOVERNMENT.

Mr. Betge offered the following resolution:

Resolved, That the President of the Senate appoint a committee of

three to prepare and report a system of rules for the government of the Senate; said committee to act with a committee of the Assembly in recommending the joint rules of both houses, and that such committee be instructed to report such Senate rules at the next meeting of this body.

Adopted.

In accordance with the foregoing resolution, the President appointed the following committee on Senate rules: Messrs. Betge, Farley, and Evans.

On motion of Mr. Irwin, at one o'clock and five minutes P. M., the Senate adjourned until twelve o'clock M. to-morrow.

WILLIAM HOLDEN,
President of the Senate.

JOSEPH ROBERTS, JR., Secretary.

IN SENATE.

SENATE CHAMBER,
Tuesday, December 5th, 1871.

The Senate met pursuant to adjournment.

The President in the chair.

Roll called and quorum present.

Prayer by Rev. W. R. Gober.

Journal of yesterday read and approved.

Mr. Betge, from the Committee on Senate rules, reported progress and asked further time to report, which was granted.

On motion of Mr. Evans, the Senate rules of the last session were adopted for the temporary government of the Senate.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
December 5th, 1871.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly is fully organized by the election of the following officers, and is now ready to proceed to business:

Speaker	Thomas B. Shannon.
Speaker pro tem	P. J. Hopper.
Chief Clerk	M. D. Boruck.
Assistant Clerk	G. W. Dixon.
Minute Clerk	Martin Rowan.
Sergeant at Arms	A. J. Rhoads.
Assistant Sergeant at Arms	G. Meredith.
Enrolling Clerk	J. R. Wilber.
Engrossing Clerk	J. H. Reed.

Journal Clerk.....Alfred Thompson.
Copying Clerk.....Isaac Ayer.
Copying Clerk.....Fred. Creque.

M. D. BORUCK, Clerk.

RESOLUTION.

Mr. Pendegast offered the following resolution:

Resolved, That the Senate proceed to the election of President *pro tempore*.

Adopted.

PRESIDENT PRO TEMPORE.

Mr. Pendegast nominated J. T. Farley.
Mr. Turner nominated George C. Perkins.
A ballot was taken with the following result:

Names.	Farley.	Perkins.	Pendegast.	Turner.
Andross		1		
Banyard	1			
Beck	1			
Betge	1			
Boggs	1			
Boucher		1		
Comte	1			
Crane		1		
De Haven		1		
Duffy		1		
Dyer				
Evans		1		
Farley			1	
Finney		1		
Fowler	1			
Garratt		1		
Goodale		1		
Gwin	1			
Hutchings	1			
Irwin	1			
Kent		1		
Keys	1			
Larkin	1			
Maclay	1			
Minis	1			
McMurry	1			
McCoy	1			
McKusick		1		
Neff		1		
Oulton		1		
O'Connor	1			

Names.	Farley.	Perkins.	Pendegast.	Turner.
Pendegast	1			
Perkins				1
Tompkins	1			
Turner		1		
Tuttle	1			
Van Ness				
Wand	1			
Wilson	1			
Wing		1		

Whole number of votes cast.....38
Necessary to a choice.....20
Mr. Farley received.....21
Mr. Perkins.....15
Mr. Pendegast..... 1
Mr. Turner..... 1

Mr. Farley having received a majority of all the votes was declared duly elected President pro tem of the Senate.

Mr. Farley came forward and took the oath of office, administered by Hon. William Holden, Lieutenant Governor.

On motion of Mr. Pendegast, at twelve o'clock and twenty minutes P. M., the Senate adjourned until to-morrow at twelve o'clock M.

WILLIAM HOLDEN,
President of the Senate.

JOSEPH ROBERTS, JR., Secretary.

IN SENATE.

SENATE CHAMBER,
Wednesday, December 6th, 1871.

Senate met pursuant to adjournment.
President pro tem (J. T. Farley) in the chair.
Roll called and quorum present.
Prayer by Rev. W. R. Gober.
Journal of yesterday read and approved.

RESOLUTION.

Mr. Wand introduced the following resolution:

Resolved, That the Senate do now proceed to the election of officers in the following order:

1. Secretary of the Senate.
2. Assistant Secretary of the Senate.

3. Sergeant at Arms.
4. Assistant Sergeant at Arms.
5. Minute Clerk.
6. Journal Clerk.
7. Engrossing Clerk.
8. Enrolling Clerk.
9. Two Copying Clerks.

Adopted.
The Senate then proceeded to the election of its officers.

FOR SECRETARY.

Mr. Tuttle nominated Robert Ferral.
Mr. Garratt nominated D. F. Verdinal.
The vote was taken with the following result:

Name.	Ferral.	Verdinal.
Andross		1
Banvard	1	
Beck	1	
Betge	1	
Boggs	1	
Boucher		1
Comte	1	
Crane		1
De Haven		1
Duffy		1
Dyer		1
Evans		1
Farley	1	
Finney		1
Fowler	1	
Garratt		1
Goodale		1
Gwin	1	
Hutchings	1	
Irwin	1	
Kent		1
Keys	1	
Larkin	1	
Maclay	1	
Minis	1	
McMurry	1	
McCoy	1	
McKusick		1
Neff		1
Oulton		1
O'Connor	1	
Pendegast	1	

Name.	Ferral.	Verdinal.
Perkins		1
Tompkins	1	
Turner		1
Tuttle	1	
Van Ness		
Wand	1	
Wilson	1	
Wing		1

The whole number of votes cast.....39
Necessary to a choice.....20
Mr. Ferral received.....22
Mr. Verdinal received.....17

Mr. Ferral having received a majority of all the votes cast was declared elected Secretary of the Senate.

FOR ASSISTANT SECRETARY.

Mr. Boggs nominated T. J. Shackelford.
Mr. Duffy nominated J. F. Sheehan.
The vote was taken with the following result:

Names.	Shackelford.	Sheehan.
Andross		1
Banyard	1	
Beck	1	
Betge	1	
Boggs	1	
Boucher		1
Comte	1	
Crane		1
De Haven		1
Duffy		1
Dyer		1
Evans		1
Farley	1	
Finney		1
Fowler	1	
Garratt		1
Goodale		1
Gwin	1	
Hutchings	1	
Irwin	1	
Kent		1
Keys	1	

Names.	Shackelford.	Sheehan.
Larkin	1	
Maclay	1	
Minis	1	
McMurry	1	
McCoy	1	
McKusick		1
Neff		1
Oulton		1
O'Connor	1	
Pendegast	1	
Perkins		1
Tompkins	1	
Turner		1
Tuttle	1	
Van Ness		
Wand	1	
Wilson	1	
Wing		1

Whole number of votes cast.....39
Necessary to a choice.....20
Mr. Shackelford received.....22
Mr. Sheehan received.....17

Mr. Shackelford having received a majority of all the votes cast was declared elected Assistant Secretary of the Senate.

FOR SERGEANT AT ARMS.

Mr. Pendegast nominated J. W. Hawkins.
Mr. Neff nominated M. H. Calderwood.
The vote was taken with the following result:

Names.	Hawkins.	Calderwood.
Andross		1
Banvard	1	
Beck	1	
Betge	1	
Boggs	1	
Boucher		1
Comte	1	
Crane		1
De Haven		1
Duffy		1
Dyer		1
Evans		1

Names.	Hawkins.	Calderwood.
Farley	1	
Finney		1
Fowler	1	
Garratt		1
Goodale		1
Gwin	1	
Hutchings	1	
Irwin	1	
Kent		1
Keys	1	
Larkin	1	
Maclay	1	
Minis	1	
McMurry	1	
McCoy	1	
McKusick		1
Neff		1
Oulton		1
O'Connor	1	
Pendegast	1	
Perkins		1
Tompkins	1	
Turner		1
Tuttle	1	
Van Ness		
Wand	1	
Wilson	1	
Wing		1

Whole number of votes cast.....39
Necessary to a choice.....20
Mr. Hawkins received.....22
Mr. Calderwood received.....17

Mr. Hawkins having received a majority of all the votes was declared elected Sergeant at Arms of the Senate.

FOR ASSISTANT SERGEANT AT ARMS.

Mr. Fowler nominated J. M. Shanon, Mr. De Haven nominated R. V. Hanks.

The vote was taken with the following result:

Names.	Shanon.	Hanks.
Andross		1
Banvard	1	
Beck	1	

Names.	Shanon.	Hanks.
Betge	1	
Boggs	1	
Boucher		1
Comte	1	
Crane		1
De Haven		1
Duffy		1
Dyer		1
Evans		1
Farley	1	
Finney		
Fowler	1	
Garratt		1
Goodale		1
Gwin	1	
Hutchings	1	
Irwin	1	
Kent		1
Keys	1	
Larkin	1	
Maclay	1	
Minis	1	
McMurry	1	
McCoy	1	
McKusick		1
Neff		1
Oulton		1
O'Connor	1	
Pendegast	1	
Perkins		1
Tompkins	1	
Turner		1
Tuttle	1	
Van Ness		
Wand	1	
Wilson	1	
Wing		1

Whole number of votes cast.....39
Necessary to a choice.....20
Mr. Shanon received.....22
Mr. Hanks received.....17

Mr. Shanon having received a majority of all the votes cast was declared elected Assistant Sergeant at Arms of the Senate.

FOR MINUTE CLERK.

Mr. Pendegast nominated J. B. Stevens, Mr. Crane nominated B. Eilerman.

The vote was taken with the following result:

Names.	Stevens.	Eilerman.
Andross		1
Banvard	1	
Beck	1	
Betge	1	
Boggs	1	
Boucher		1
Comte	1	
Crane		1
De Haven		1
Duffy		1
Dyer		1
Evans		1
Farley	1	
Finney		1
Fowler	1	
Garratt		1
Goodale		1
Gwin	1	
Hutchings	1	
Irwin	1	
Kent		1
Keys	1	
Larkin	1	
Maclay	1	
Minis	1	
McMurry	1	
McCoy	1	
McKusick		1
Neff		1
Oulton		1
O'Connor	1	
Pendegast	1	
Perkins		1
Tompkins	1	
Turner		1
Tuttle	1	
Van Ness		
Wand	1	
Wilson	1	
Wing		1

Whole number of votes cast.....39
Necessary to a choice.....20
Mr. Stevens received.....22
Mr. Eilerman received.....17

Mr. Stevens having received a majority of all the votes cast was declared elected Minute Clerk of the Senate.

FOR JOURNAL CLERK.

Mr. Wilson nominated J. J. de la Guerra.
Mr. Goodale nominated G. Loucks.
The vote was taken with the following result:

Names.	De la Guerra.	Loucks.
Andross		1
Banvard	1	
Beck	1	
Betge	1	
Boggs	1	
Boucher		1
Comte	1	
Crane		1
De Haven		1
Duffy		1
Dyer		1
Evans		1
Farley	1	
Finney		1
Fowler	1	
Garratt		1
Goodale		1
Gwin	1	
Hutchings	1	
Irwin	1	
Kent		1
Keys	1	
Larkin	1	
Maclay	1	
Minis	1	
McMurry	1	
McCoy	1	
McKusick		1
Neff		1
Oulton		1
O'Connor	1	
Pendegast	1	
Perkins		1
Tompkins	1	
Turner		1
Tuttle	1	
Van Ness		
Wand	1	
Wilson	1	
Wing		1

Whole number of votes cast.....39
Necessary to a choice.....20

Mr. De la Guerra received.....22
Mr. Loucks received.....17

Mr. De la Guerra having received a majority of all the votes cast was declared elected Journal Clerk of the Senate.

FOR ENGROSSING CLERK.

Mr. Larkin nominated E. L. Crawford.
Mr. Perkins nominated W. Chalmers.
The vote was taken with the following result:

Names.	Crawford.	Chalmers.
Andross		1
Banvard	1	
Beck	1	
Betge	1	
Boggs	1	
Boucher		1
Comte	1	
Crane		1
De Haven		1
Duffy		1
Dyer		1
Evans		1
Farley	1	
Finney		1
Fowler	1	
Garratt		1
Goodale		1
Gwin	1	
Hutchings	1	
Irwin	1	
Kent		1
Keys	1	
Larkin	1	
Maclay	1	
Minis	1	
McMurry	1	
McCoy	1	
McKusick		1
Neff		1
Oulton		1
O'Connor	1	
Pendegast	1	
Perkins		1
Tompkins	1	
Turner		1
Tuttle	1	
Van Ness		

Names.	Crawford.	Chalmers.
Wand	1	
Wilson	1	
Wing		1

Whole number of votes cast.....39
Necessary to a choice.....20
Mr. Crawford received.....22
Mr. Chalmers received.....17

Mr. Crawford having received a majority of all the votes cast was declared elected Engrossing Clerk of the Senate.

FOR ENROLLING CLERK.

Mr. Wand nominated Tod Robinson.
Mr. Evans nominated W. S. Johnson.
The vote was taken, with the following result:

Name.	Robinson.	Johnson.
Andross		1
Banvard	1	
Beck	1	
Betge	1	
Boggs	1	
Boucher		1
Comte	1	
Crane		1
De Haven		1
Duffy		1
Dyer		1
Evans		1
Farley	1	
Finney		1
Fowler	1	
Garratt		1
Goodale		1
Gwin	1	
Hutchings	1	
Irwin	1	
Kent		1
Keys	1	
Larkin	1	
Maclay	1	
Minis	1	

Names.	Robinson.	Johnson.
McMurry	1	
McCoy	1	
McKusick		1
Neff		1
Oulton		1
O'Connor	1	
Pendegast	1	
Perkins		1
Tompkins	1	
Turner		1
Tuttle	1	
Van Ness		
Wand	1	
Wilson	1	
Wing		1

Whole number of votes cast.....39
Necessary to a choice.....20
Mr. Robinson received.....22
Mr. Johnson received.....17

Mr. Robinson having received a majority of all the votes cast was declared elected Enrolling Clerk of the Senate.

FOR COPYING CLERKS.

Mr. Minis nominated A. Sites.
Mr. Wand nominated E. Gallagher.
Mr. De Haven nominated O. N. Steele.
Mr. Finney nominated S. J. Conklin.
The vote was taken with the following result:

Names.	Sites.	Gallagher.	Steele.	Conklin.
Andross			1	1
Banvard	1	1		
Beck	1	1		
Betge	1	1		
Boggs	1	1		
Boucher			1	1
Comte	1	1		
Crane			1	1
De Haven			1	1
Duffy			1	1
Dyer			1	1
Evans			1	1
Farley	1	1		

Names.	Sites.	Gallagher.	Steele.	Conklin.
Finney			1	1
Fowler	1	1		
Garratt			1	1
Goodale			1	1
Gwin	1	1		
Hutchings	1	1		
Irwin	1	1		
Kent			1	1
Keys	1	1		
Larkin	1	1		
Maclay	1	1		
Minis	1	1		
McMurry	1	1		
McCoy	1	1		
McKusick			1	1
Neff			1	1
Oulton			1	1
O'Connor	1	1		
Pendegast	1	1		
Perkins			1	1
Tompkins	1	1		
Turner			1	1
Tuttle	1	1		
Van Ness				
Wand	1	1		
Wilson	1	1		
Wing			1	1

Whole number of votes cast.....39
Necessary to a choice.....20
Mr. Sites received.....22
Mr. Gallagher received.....22
Mr. Steele received.....17
Mr. Conklin received.....17

Mr. Sites and Mr. Gallagher having received a majority of all the votes cast were declared elected Copying Clerks of the Senate.

The officers elect of the Senate came forward and took the oath of office administered by Hon. J. T. Farley, President pro tem of the Senate.

RESOLUTIONS.

Mr. Pendegast offered the following resolution:

Resolved, That J. P. Cunningham be and he is hereby appointed Assistant Clerk at the Desk, with a per diem of eight dollars, payable out of the appropriation for contingent expenses of the Senate.

Adopted.

By Mr. Boggs:

Resolved, That the Reverend J. H. C. Bonte be and he is hereby appointed Chaplain of the Senate, and that he be allowed the sum of five dollars per day, payable out of the appropriation for the contingent expenses of the Senate.

Adopted.
By Mr. Beck:

Resolved, That the Secretary of the Senate be directed to inform the Assembly that the Senate is now organized and ready to proceed with legislative business with the following named officers:

President pro tem.....J. T. Farley.
Secretary.....Robert Ferral.
Assistant Secretary.....T. J. Shackelford.
Sergeant at Arms.....James W. Hawkins.
Assistant Sergeant at Arms.....J. M. Shanon
Minute Clerk.....J. B. Stevens.
Journal Clerk.....J. J. de la Guerra.
Engrossing Clerk.....E. L. Crawford.
Enrolling Clerk.....Tod Robinson.
Copying Clerk.....A. Sites.
Copying Clerk.....Ed. Gallagher.
Assistant Clerk at the Desk.....J. P. Cunningham.
Chaplain.....J. H. C. Bonte.

Adopted.
By Mr. Irwin:

Resolved, That a committee of three be appointed to ascertain what officers and attaches of the last Senate are entitled to compensation for services in organizing the present Senate and the amount due each.

Adopted.
The President appointed as such committee Messrs. Irwin, Duffy, and Banvard.
By Mr. Irwin:

Resolved by the Senate, the Assembly concurring, That a joint committee of six, three from the Senate and three from the Assembly, be appointed to notify the Governor that the Legislature is now organized and ready to receive any communication he may wish to make to it.

Adopted.
The President appointed as such committee on the part of the Senate, Messrs. Irwin, O'Connor, and Oulton.
By Mr. Pendegast:

Resolved by the Senate, the Assembly concurring, That a committee be appointed, consisting of three members of the Senate and three of the Assembly, to wait on the Governor and Lieutenant Governor elect and ascertain at what time they will be ready for inauguration.

Adopted.

The President appointed as such committee on the part of the Senate, Messrs. Pendegast, Gwin, and Evans.

By Mr. Evans:

Resolved by the Senate, the Assembly concurring, That the two bodies meet in joint convention on Thursday, December seventh, at twelve o'clock, noon, for the purpose of canvassing the vote and declaring the result of the election for Governor and Lieutenant Governor.

Adopted.

By Mr. Evans:

Resolved, That the Sergeant at Arms be directed to furnish each member of the Senate with five daily newspapers, published in this State, or their equivalent in weeklies.

Adopted.

At one o'clock and twenty minutes P. M., on motion of Mr. Irwin, the Senate adjourned until to-morrow at ten o'clock A. M.

J. T. FARLEY,
President pro tem of the Senate.

ROBERT FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Thursday, December 7th, 1871.

Senate met pursuant to adjournment.
President pro tem in the chair.
Roll called and quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

REPORT.

Mr. Betge, from the Committee on Senate Standing Rules, verbally reported and recommended the adoption of the Senate rules of the seventeenth session of the Legislature.

Mr. Evans moved to strike out "Rule No. 19," as reported by the committee, and insert thereof "Rule No. 19" of the Senate rules of the eighteenth session.

On the motion to strike out and insert the ayes and noes were demanded by Messrs. Evans, Duffy, and Wing, and the Senate refused by the following vote:

AYES—Messrs. Andross, Crane, De Haven, Duffy, Dyer, Evans, Garratt, Kent, McKusick, Neff, and Wing—11.

NOES—Messrs. Banvard, Beck, Betge, Boggs, Comte, Farley, Finney, Fowler, Gwin, Hutchings, Irwin, Keys, Larkin, Maclay, Minis, McMurry,

McCoy, O'Connor, Pendegast, Perkins, Tompkins, Turner, Tuttle, Wand, and Wilson—25.

Rule No. 19, as reported by the committee, was adopted.

Mr. Evans moved to strike out "Rule No. 48," as reported by the committee, and insert in lieu thereof "Rule No. 48" of the Senate rules of the eighteenth session.

On the motion to strike out and insert the ayes and noes were demanded by Messrs. Evans, Turner, and Duffy, and the Senate refused by the following vote:

AYES—Messrs. Andross, Boucher, Crane, De Haven, Duffy, Dyer, Evans, Finney, Garratt, Kent, McKusick, Neff, Oulton, Perkins, Tompkins, Turner, and Wing—17.

NOES—Messrs. Banvard, Beck, Betge, Boggs, Comte, Farley, Fowler, Gwin, Hutchings, Irwin, Keys, Larkin, Maclay, Minis, McMurry, McCoy, O'Connor, Pendegast, Tuttle, Wand, and Wilson—21.

The rules as reported by the committee were adopted as follows:

STANDING RULES OF THE SENATE.

OPENING OF THE DAILY SESSIONS.

1.

The time of meeting of the Senate shall be eleven o'clock A. M. (Sundays excepted), and in case any other is named, it shall be applicable only to one day, and shall not affect this rule beyond the day named for a different hour of meeting.

2.

The President shall call the Senate to order at the stated hour, and if a quorum be present, he shall order read the Journal of the proceedings of the preceding day.

3.

A President pro tem shall be elected, who shall, in the absence of the President, take the Chair and call the Senate to order at the hour of the meetings of the Senate, and have the same power as the President; but the President pro tem shall vote only as any other member of the Senate. When the Senate is equally divided, the Secretary shall take the decision of the President.

DUTY OF MEMBERS TO GIVE ATTENDANCE.

4.

No member shall absent himself from the service of the Senate without leave first obtained. A less number than a quorum of the Senate are hereby authorized to send the Sergeant at Arms, or any other person, for any or all absent members, as the majority of such members present shall agree, at the expense of such absent members respectively, unless such excuse for non-attendance shall be made as the Senate, when a

quorum is convened, shall judge sufficient, and in that case the expense shall be paid out of the Contingent Fund; and this rule shall apply as well to the first convention of the Senate, at the legal time of meeting, as to each day of the session after the hour has arrived to which the Senate stood adjourned. The President or acting President of the Senate or of less than a quorum thereof shall have the power to issue process, directed to the Sergeant at Arms or any other person, to compel the attendance of members absent without leave. Any Senator who shall refuse to obey such process, unless sick and unable to attend, shall be deemed guilty of a contempt of the Senate, and the Sergeant at Arms or other person to whom such process may be directed shall have power to use such force as may be necessary to compel the attendance of such absent member, and for this purpose he may command the force of the county or of any county in the State.

ORDER OF BUSINESS.

5.

After the reading and approving of the Journal the order of business shall be as follows:

1. Presentation of Petitions.
2. Reports of Standing Committees.
3. Reports of Select Committees.
4. Messages from the Governor.
5. Messages from the Assembly.
6. Second Reading and Commitment of Bills.
7. Introduction and First Reading of Bills.
8. Motions, Resolutions, and Notices.
9. Business on the General File and Third Reading of Bills.
10. Unfinished Business of the preceding day.
11. Special Orders of the Day.
12. Reports from the Committees on Enrollment and on Engrossment shall at all times be in order.

Provided, that messages from the Governor, State officers, and from the Assembly may, on motion of any Senator, be considered at any time.

6.

The General File shall be the special order for each day from twelve o'clock until two P. M., unless sooner disposed of; but no bill shall lose its place upon the file by expiration of the time or by adjournment of the Senate while it is under consideration; and this order shall take precedence of all others.

7.

The Secretary shall post, each morning, in a conspicuous place, a list of all bills upon the General File, giving their order, and also setting forth their number, and so much of their title as necessary to enable Senators to understand their general purport.

8.

All questions relating to the priority of business shall be decided without debate.

BILLS.

9.

If objection be made to the introduction of a bill, except on report of a committee, or on previous notice, it shall lie over one day, unless the Senate by a two-thirds vote direct otherwise.

10.

Every bill shall receive three readings previous to its being passed. The President shall give notice at each whether it be the first, second, or third, which reading shall be on different days, unless the Senate, by a two-thirds vote, direct otherwise; *provided*, that upon the first reading of a bill, if no objection be made, it may, without delay, be read a second time by title, and be committed or placed on the General File. No bill shall be amended or committed until twice read.

11.

All bills, on a second reading, shall be considered by the Senate in the same manner as if the Senate was in Committee of the Whole, before they shall be taken up and proceeded on by the Senate agreeably to the Standing Rules, unless otherwise ordered.

12.

All bills, amendments, and resolutions, after being engrossed, in pursuance of the order of the Senate, shall be carefully examined and reported back by the Committee on Engrossed Bills, and when, by order of the Senate, any Senate bill shall have been considered engrossed and passed, it shall be the duty of said committee to cause the same to be correctly engrossed and reported to the Senate; the engrossed copy to be transmitted to the Assembly, with the proper indorsements, and the original retained by the Senate.

13.

All bills, after the second reading (if the same be not committed, but if committed, then upon being reported), shall be placed upon a General File, and shall be taken up for consideration and passage in the order of their being placed on file; *provided*, that engrossed bills shall take precedence of bills not engrossed.

AMENDMENTS AND SUBSTITUTES.

14.

Substitutes may be offered at any time when a bill or resolution is open to amendment, previous to engrossment, and when adopted shall

take place of the original bill or resolution, and shall be open to amendment.

15.

No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment or substitute.

16.

In filling up blanks, the least sum or number and the shortest time shall be put first.

17.

When an amendment to the Constitution, or any bill requiring the concurrence of two thirds of the Senators, is under consideration, the concurrence of two thirds shall not be required to decide any question for amendments, or extending to the merits, being short of the final question.

COMMITTEES.

18.

The following Standing Committees shall be appointed:

1. Committee on Claims, to consist of five members.
2. Committee on Finance, to consist of five members.
3. Committee on Judiciary, to consist of nine members.
4. Committee on Elections, to consist of five members.
5. Committee on Public Lands, to consist of five members.
6. Committee on Commerce and Navigation, to consist of five members.
7. Committee on Federal Relations, to consist of five members.
8. Committee on State Hospitals, to consist of five members.
9. Committee on Mines and Mining Interests, to consist of seven members.
10. Committee on State Prison and Prison Buildings, to consist of five members.
11. Committee on Education, to consist of five members.
12. Committee on State Library, to consist of three members.
13. Committee on Mileage, to consist of three members.
14. Committee on Counties and County Boundaries, to consist of five members.
15. Committee on Corporations, to consist of five members.
16. Committee on Agriculture, to consist of five members.
17. Committee on Public Printing, to consist of five members.
18. Committee on Roads and Highways, to consist of three members.
19. Committee on Contingent Expenses of Senate, to consist of five members.
20. Committee on Military Affairs, to consist of five members.
21. Committee on Public Expenditures, to consist of five members.
22. Committee on Public Morals, to consist of five members.
23. Committee on Engrossed Bills, to consist of six members.

24. Committee on Enrolled Bills, to consist of six members.
25. Committee on Internal Improvements, to consist of five members.
26. Committee on Swamp and Overflowed Lands, to consist of five members.
27. Committee on Public Buildings (other than prison buildings), to consist of five members.

19.

All committees of the Senate, and all joint committees on the part thereof, shall be appointed by the Senate.

20.

No committee, standing or special, shall elect a clerk or sergeant at arms without first obtaining the consent of the Senate.

21.

When a resolution shall be offered or a motion made to refer any subject, and a different committee shall be proposed, the question shall be taken in the following order:

1. The Committee of the Whole Senate.
2. A Standing Committee.
3. A Select Committee.

22.

No claim shall be paid out of the Contingent Fund of the Senate until the same shall have been referred to and reported on by the Committee on Contingent Expenses.

ORDER.

23.

When a question is under debate, no motion shall be received but the following privileged questions, which shall have precedence in the following order:

1. To adjourn.
2. For a call of the Senate.
3. To lay on the table.
4. To postpone to a day certain.
5. To commit.
6. To amend.
7. To postpone indefinitely.

24.

No motion shall be debated until the same be seconded and distinctly announced by the President; and it shall be reduced to writing if desired by the President or any member, and read by the Secretary before the

same shall be debated. A motion may be withdrawn at any time before amendment.

25.

When the reading of a paper is called for (except petitions), and the same is objected to by any member, it shall be determined by a vote of the Senate, without debate. But this rule is not applicable to any bill, resolution, amendment, or other proposition which may be at the time directly under consideration.

26.

Every Senator, when he speaks, shall, standing in his place, address the President, and when he has finished he shall sit down. No member shall speak more than twice in any one debate on the same day and at the same stage of the bill without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) to the exclusion of another who has not spoken.

27.

When two or more members rise at once, the President shall name the member who is to speak first.

28.

When a member shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any member. If the member be called to order for words spoken, the exceptional language shall immediately be taken down in writing.

QUESTION.

29.

The final question upon the second reading of every bill originating in the Senate, and requiring three readings previous to being passed, shall be: "Shall it be engrossed and read a third time?" And no amendment shall be received for discussion at the third reading of any bill, but it shall at all times be in order before the final passage of any such bill to move its commitment under special instructions.

30.

The previous question shall be in this form: "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the Senators present, and its effect shall be to put an end to all debate and bring the Senate to a direct vote upon amendments reported by a committee, if any, upon pending amendments, and then upon the main question. On a motion for the previous question, and prior to the seconding of the same, a call of the Senate shall be in order; but after a majority shall have seconded such motion, no call shall be in order prior to the decision of the main question.

31.

On a motion for the previous question, and under the previous question, there shall be no debate. And all incidental questions of order, arising after a motion is made for the previous question, (or while acting under the previous question,) shall be decided, whether on appeal or otherwise, without debate.

32.

When the ayes and noes shall be called for by three members present, every member within the bar of the Senate at the time the question was put shall declare openly and without debate his assent or dissent to the question. In taking the ayes and noes, and upon the call of the Senate, the names of the members shall be taken alphabetically. When the ayes and noes shall be taken upon any question in pursuance of this rule, no member shall be permitted, under any circumstances whatever, to vote after the decision is announced from the Chair.

33.

When any member is absent without the bar of the Senate when his name is called on the call of ayes and noes on any vote about to be taken, his vote shall not be received unless unanimously agreed to by the members present; nor shall a member be counted, on a division of a vote, who is absent without the bar of the Senate without leave.

RECONSIDERATION.

34.

When a question has been once put and decided, it shall be in order for any member voting in the majority to move for the reconsideration thereof, and such motion shall take precedence of all other questions except a motion to adjourn; but no motion for the reconsideration of any vote shall be in order after the bill, resolution, message, report, amendment, or motion, upon which the vote was taken, shall have gone out of the possession of the Senate; nor after the usual message shall have been sent from the Senate announcing its decision; nor shall any motion for a reconsideration of a vote making a final disposition of any bill or resolution be made on the day on which the same was taken; nor shall any question be reconsidered more than once.

35.

No motion to reconsider shall be entertained at a later period than the next day of the actual session of the Senate after the vote to be reconsidered has been taken; nor then, unless notice of intention to move a reconsideration shall have been given by some Senator on the same day when such vote was taken; but when any vote shall be reconsidered, the Senate may at the same time proceed to reconsider any previous vote or order in relation to the same bill or resolution without further notice. No notice of intention to move a reconsideration shall be given on the day next preceding the last day of the session.

36.

If a Senator gives notice that he intends to move a reconsideration, the Secretary shall not report the bill or resolution to the Assembly till the reconsideration is disposed of, or the time for moving the same has expired.

JOURNAL.

37.

The titles of bills and such parts thereof only as shall be affected by proposed amendments shall be inserted in the Journal.

38.

The proceedings of the Senate, when not acting as Committee of the Whole, shall be entered on the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings; but every vote of the Senate shall be entered on the Journal, and a brief statement of the contents of each petition, memorial, or paper presented to the Senate shall also be inserted in the Journal.

RULES.

39.

The rules of the Senate shall be observed in Committee of the Whole, so far as may be applicable, except limiting the number of times of speaking, and except that the ayes and noes shall not be taken.

40.

In all cases not provided for by these rules the Senate shall be governed by the law and practice as laid down in Cushing's Law and Practice of Legislative Assemblies.

41.

No rule shall be suspended without the concurrence of two thirds of the members present, and no additional rule or amendment of a rule shall be made without giving at least one day's notice and the concurrence of two thirds of the members present; *provided*, that no rule requiring unanimous consent shall be suspended by operation of this rule.

POWERS OF THE PRESIDENT.

42.

The rooms, passages, and buildings set apart for the use of the Senate shall be under the control and direction of the President of the Senate, and he shall have the control and direction of the journals, papers, bills, etc., of the Senate; he shall see that all officers of the Senate perform their respective duties, and may assign places to reporters.

43.

In case of a disturbance or disorderly conduct in the lobbies, the President (or Chairman of the Committee of the Whole Senate) shall have power to order the same to be cleared.

44.

The President shall have the right to name any member to perform the duties of the Chair, who is hereby vested, during such time, with all the powers of the President; but such substitute shall not lose the right of voting on any question while so presiding.

SERGEANT AT ARMS.

45.

A Sergeant at Arms shall be elected, to hold his office during the pleasure of the Senate, whose duty it shall be to attend the Senate during its sittings, to execute the commands of the Senate from time to time, together with all such process issued by authority thereof as shall be directed to him by the President. The actual expenses of the Sergeant at Arms for every arrest, for each day's custody and releasement, and for traveling expenses for himself and special messenger going and returning, shall be paid out of the Contingent Fund, and no other fees shall be paid him beyond his pay per diem. It shall be the duty of the Sergeant at Arms to keep the accounts for pay and mileage of members, to prepare checks, and, if required so to do, draw the money on such checks for the members (the same being previously signed by the President and indorsed by the member or person to whom the check is made), and pay over the same to the member or person entitled thereto.

MESSENGERS.

46.

Messengers are introduced in any state of business, except while a question is being put, while the ayes and noes are calling, or while the ballots are counting.

DOORKEEPER.

47.

It shall be the duty of the Doorkeeper to prohibit all persons except Senators, members of the Assembly, officers of the two Houses, and such reporters as have seats assigned them by the President, from coming within the bar of the Senate, unless invited by the Senate through the President, and to arrest for contempt all persons outside the bar or in the gallery found engaged in loud conversation or otherwise making a noise to the disturbance of the Senate.

EXECUTIVE NOMINATIONS.

48.

When nominations shall be sent by the Governor to the Senate for their confirmation, the same shall be, unless the Senate shall, by a majority vote, otherwise direct, acted upon at once.

PRINTING.

49.

No bill or other matter shall be printed without first being specially ordered by the Senate, and the Sergeant at Arms shall certify to the reception by the Senate of all such printed matter, and the quantity, before payment shall be made or bills audited; and maps accompanying documents shall not be printed under the general order to print without the special direction of the Senate.

50.

Two hundred and forty (240) copies shall be printed of each document or other matter ordered, unless the Senate specially direct a different number.

SECRET SESSION.

51.

On a motion made and seconded to close the doors of the Senate on the discussion of any business which may in the opinion of the Senate require secrecy, the President shall require all persons except the members, Secretaries, Sergeant at Arms, and Doorkeeper of the Senate to withdraw, and during the discussion of said motion the doors shall remain closed; and every member and officer of the Senate shall keep secret all such matters, proceedings, and things whereof secrecy shall be enjoined by order of the Senate.

REPORTS.

By Mr. Irwin.

Mr. President: Your committee, appointed to ascertain and report what officers and attachés of the last Senate are entitled to compensation for services rendered during the temporary organization of the present Senate, and the amount due each, beg leave to submit the following report:

Nat Boice, Sergeant at Arms, seven days	$56 00
Joseph Roberts, Secretary of the Senate, seven days per diem, $56; mileage, $46 80	102 80
J. J. Thomas, Assistant Sergeant at Arms, three days per diem, $18; mileage, $46 80	64 80
B. A. Mardis, Assistant Secretary, three days per diem	24 00

E. Curtis, Assistant Clerk at desk, three days, $24; mileage, $46 80	$70 80
J. B. Stevens, Minute Clerk, three days, $24; mileage, $22	46 00
J. J. de la Guerra, Journal Clerk, three days, $24; mileage, $174	198 00
W. C. Van Arman, porter, two days, $16; mileage, $48 80	64 80
John O'Connell, porter, four days, $16; mileage, $46 80	62 80
Ed. Chambers, porter, four days	16 00
J. J. Carroll, porter, four days	16 00
Hampton Whittaker, rear porter, four days	16 00
H. Siegfried, watchman, four days, $16; mileage, $46 80	62 80
W. G. Alwell, messenger, four days, $16; mileage, $46 80	62 80
Henry Cloud, paper folder, four days, $12; mileage, $46 80	58 80
Samuel Hall, post office page, four days, $12; mileage, $46 80	58 50
Willie Ormsby, page, four days, $12; mileage, $20	32 00
Samuel Marks, page, four days	12 00
Oixie Edwards, page, four days	12 00
Harry McGuire, page, four days, $12; mileage, $46 80	58 80
Chas. Newman, page, four days, $12; mileage, $60	72 00
A. D. Rightmire, porter in gallery, four days	16 00
Grove L. Johnson, Clerk for Sergeant at Arms, four days	32 00

W. IRWIN,
Chairman Committee.

Adopted.

RESOLUTIONS.

Mr. Wand had leave to introduce the following resolutions:

Resolved, That Patrick O'Keefe be and he is hereby appointed Doorkeeper of the gallery, at a compensation of four dollars per day, payable out of the Contingent Fund of the Senate.

Adopted.

Resolved, That James Saultry be and he is hereby appointed Night Watchman of the Senate, at a compensation of four dollars per day, payable out of the Contingent Fund of the Senate.

Adopted.

Resolved, That William Spurgeon be and he is hereby appointed Messenger of the Senate, at a compensation of four dollars per day, payable out of the Contingent Fund of the Senate.

Adopted.

Resolved, That W. H. Manifer be and he is hereby appointed Paper Folder, at a compensation of three dollars per day, payable out of the Contingent Fund of the Senate.

Adopted.

Resolved, That Frank Luttrell, Frank Ellis, and Willie Ormsby be and they are hereby appointed Pages, at a compensation of three dollars per day each, payable out of the Contingent Fund of the Senate.

Adopted.

Resolved, That Herman Seigfried be and he is hereby appointed Mail Carrier of the Senate, at a compensation of four dollars per day, payable out of the Contingent Fund of the Senate.

Adopted.

Resolved, That Henry Jones be and he is hereby appointed Rear Porter, at a compensation of four dollars per day, payable out of the Contingent Fund of the Senate.

Adopted.

INTRODUCTION OF BILLS.

By Mr. Evans—An Act to repeal an Act entitled an Act to empower the Board of Supervisors of the several counties of the State to aid in the construction of a railroad in their respective counties, approved April fourth, eighteen hundred and seventy.

Read first and second times and laid on the table.

By Mr. Duffy—An Act concerning section eleven of an Act to protect agriculture and to prevent the trespassing of animals upon private property, approved March twenty sixth, eighteen hundred and sixty-six.

Read first and second times and ordered on file.

By Mr. Neff—An Act to amend an Act entitled an Act to authorize and direct the County Judge of the several counties of this State to execute certain trusts in relation to the town lands granted to the unincorporated towns in this State by the Act of Congress entitled an Act for the relief of the inhabitants of cities and towns upon the public lands, approved March second, eighteen hundred and sixty-seven, approved March thirtieth, eighteen hundred and sixty-eight.

Read first and second times and ordered on file.

By Mr. Tuttle—An Act to establish and define the powers and duties of the Board of Education of the City of Petaluma.

Read first and second times and ordered on file.

RESOLUTION.

By Mr. Finney:

Resolved, That the Sergeant at Arms be directed to furnish each Senator, the Lieutenant Governor, the Secretary of the Senate, and the Sergeant at Arms with twenty-five dollars' worth of postage stamps or express envelops, to be paid for in currency out of the Contingent Fund of the Senate.

Adopted.

REPORT.

By Mr. Irwin:

Mr. PRESIDENT: The joint committee appointed from the Senate and Assembly to notify the Governor that the Legislature is now organized

and ready to receive any communications he may wish to make to it, have called on him at his office and have learned that he will communicate his biennial message and other messages to the Legislature immediately. Which is respectfully submitted.

IRWIN,
OULTON,
O'CONNOR.

NOTICE.

Mr. Finney gave notice that he would at an early day introduce a bill providing for the compulsory education of the children of this State.

[Mr. Banvard in the chair.]

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
December 7th, 1871.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly this day concurred in Senate Concurrent Resolution No. 1—Relating to notifying the Governor and Lieutenant Governor of the organization of the Legislature.

Also, concurred in Senate Concurrent Resolution No. 2—Relative to the inauguration.

Also, concurred in Senate Concurrent Resolution No. 3—Relative to Joint Convention for canvassing vote of Governor and Lieutenant Governor.

The following gentlemen have been appointed a committee on part of the House for the purpose of notifying the Governor and Lieutenant Governor of the organization of the Legislature: Messrs. Meeker, Freeman, and Mott, of Los Angeles.

The following gentlemen have been appointed on the part of the House relative to inauguration: Messrs. Harvey, McCullough, and Cooper.

Respectfully,

M. D. BORUCK,
Chief Clerk.

GOVERNOR'S MESSAGE.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, December 7th, 1871.

To the Senate of the State of California:

I herewith transmit to your honorable body my second biennial message, with accompanying documents.

As there is but one copy of some of these documents, I respectfully ask that the Assembly be informed of their receipt.

H. H. HAIGHT,
Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, December 5th, 1871.

To the Senate and Assembly of the State of California:

In obedience to constitutional requirement I proceed to give you such information concerning the condition of the State and the operations of its government during the past two years as may tend to facilitate your labors.

While the State has suffered for the lack of copious rains the last and preceding Winters, we may yet felicitate ourselves upon exemption from any great calamities and upon the healthful condition of our mining and agricultural interests.

Despite the depression of some of our industries, the future of California never seemed more promising than it does to-day.

FINANCIAL CONDITION.

The reports of the Controller and Treasurer, which are transmitted herewith, exhibit the financial condition of the State on the first day of November last, and the transactions of their offices during the twenty-first and twenty-second fiscal years.

The total funded debt on the first day of December, A. D. eighteen hundred and sixty-seven, was stated by my predecessor at five million one hundred and twenty six thousand five hundred dollars. This statement, however, overlooked an item of twenty thousand dollars, which would have made the total funded debt five million one hundred and forty-six thousand five hundred dollars, independently of Indian war bonds, of which eighteen thousand six hundred and sixty-eight dollars and seventy-eight cents have been paid since that date. Bonds to the amount of two hundred and fifty thousand dollars were issued for the completion of the State Capitol, under the Act of last session. The present funded debt is three million four hundred and sixty-two thousand dollars, and of this amount one million one hundred and thirty three thousand five hundred dollars are held by the State in the School Fund, and fifty-seven thousand five hundred dollars in the University Fund. The amount of bonds redeemed since the first day of July, A. D. eighteen hundred and sixty-nine, is eight hundred and fifty-six thousand dollars.

The amount of funded debt of this State held by private individuals is two million two hundred and seventy-one thousand dollars, which, added to the amount of bonds held by the State in the School and University Funds, makes the sum of three million four hundred and sixty-two thousand dollars, as stated.

Of the Capitol bonds issued last session nearly the whole amount (two hundred and thirty-six thousand dollars) are held in the School Fund.

There is in the Treasury at present, applicable to the redemption of bonds, the sum of one hundred and forty-nine thousand five hundred dollars, so that the funded debt of the State, after deducting the amount of cash on hand devoted to redemption of bonds is three million three hundred and twelve thousand five hundred dollars, a reduction of one million eight hundred and thirty-four thousand dollars within the past four years. At the present rate of redemption the funded debt, aside

from bonds in the School Fund, would be extinguished within the next four years.

The various classes of bonds outstanding, and those held in the School Fund, will appear by reference to the Controller's and Treasurer's reports. In addition to the funded debt there are unpaid Capitol warrants, the amount of which is hereinafter stated. These will be paid by the proceeds of the Capitol tax within the next twelve months. The receipts from all sources during the fiscal year ending June thirtieth, eighteen hundred and seventy-one, were three million three hundred and twenty-nine thousand nine hundred and eighty-four dollars and ninety-nine cents, and the total disbursements during the same year were two million nine hundred and fifteen thousand five hundred and ninety-two dollars and seventy-two cents.

At the session of eighteen hundred and sixty-seven and eighteen hundred and sixty-eight the tax for the General Fund was reduced from thirty and three fourth cents to twenty-two and one half cents on each one hundred dollars of valuation.

This reduction, with large deficiencies to be provided for, and some extraordinary demands on the General Fund for the Deaf, Dumb, and Blind Asylum, furniture for the State Capitol, Mono County bonds, and other purposes, with the unavoidable increase of expenditure in the Insane Asylum, resulted in a deficiency in the General Fund at the last session. The increase of the tax for this Fund to twenty eight and one half cents will remedy this during the current fiscal year, and the estimate of the Controller of twenty-one and three fourth cents for the General Fund may prove to be adequate, with the increased assessed value of taxable property.

Much embarrassment has resulted, however, from charging all miscellaneous and extraordinary appropriations upon the Fund out of which are paid the salaries of Judges and State officers and the regular expenses of the Prison, Insane Asylum, and other State institutions. It is very desirable that this Fund and the tax for it should be divided and a Salary Fund, Prison and Asylum Funds created. Instead of a tax of twenty one and three quarter cents for the General Fund, a portion of this rate sufficient for the purpose could be applied to a Salary Fund, and portions to the Prison and Asylums for the Insane and Deaf, Dumb, and the Blind, which are the most expensive State institutions, leaving the surplus over the amount appropriated to lapse into the General Fund at the end of each fiscal year.

In this way the regular operations of the State Government would be provided for without the serious embarrassment which occasionally results from a deficiency in the General Fund.

The rate of taxation for State purposes for some years past has been as follows: In eighteen hundred and sixty-five and eighteen hundred and sixty six, one dollar and thirteen cents ($1 13); in eighteen hundred and sixty-seven and eighteen hundred and sixty-eight, ninety-seven (97) cents; and in eighteen hundred and sixty nine and eighteen hundred and seventy the rate was still further reduced to eighty six and one half cents.

This tax is made up of the following items: For building the State Capitol, ten cents; Normal School building, two cents; State Prison Building Fund, three cents; School Tax, ten cents; Funded Debt Tax, including Capitol bonds, twenty three and three quarter cents; Central Pacific Railroad interest, eight cents; Military Tax, one and a quarter cents; and General Fund, twenty-eight and a half cents.

The Funding Act of last session was ratified by a majority of the voters. If it is carried into effect and the bonds provided for are substituted for those now outstanding, a tax of eight cents would be sufficient to pay the interest for the first five years, as the law provides. This would reduce the funded debt tax from twenty-three and three quarter cents to eight cents, a reduction of fifteen and three quarter cents.

The tax for the Capitol can be dispensed with in two years, and the tax would then be reduced from eighty six and a half cents to fifty six and three quarter cents, by deducting fifteen and three quarter cents of the funding tax, six and three fourths cents General Fund tax, and ten cents Capitol tax, increasing the military tax to two cents, and levying a special tax of two cents for a University Building Fund.

This leaves the Normal School building tax to be applied to other public buildings after the completion of the Normal School. The tax of eight cents subsidy to the Central Pacific railroad is levied to raise the sum of one hundred and five thousand dollars annually, and the rate of tax will produce each year a larger surplus with an increased assessment roll. This surplus is payable into the General Fund, and will aid to prevent any deficit in that Fund. This tax now produces nearly double the amount of the subsidy.

The Legislature can carry the Funding Act into effect, or can repeal it, and go on with the payment of the debt as heretofore.

The arguments in favor of the funding bill were briefly these: First—An immediate reduction of taxation for this purpose, to the extent of fifteen and three fourths cents. Second—Furnishing to the School Fund for investment, bonds of this State, instead of seeking elsewhere for securities. Third—Facilitating the equalization of assessments by its provisions.

The arguments against it are: the difficulty of securing the exchange of the old bonds without advertisement for the prescribed time; the discount on the new bonds, and the desirableness of extinguishing the debt. While not strenuous on the subject, my judgment was in favor of refunding the debt, and thereby diminishing taxation, as well as leaving in the School Fund our own bonds for an investment. The subject is commended to your consideration, and to such disposition as in your wisdom may seem expedient.

The prospect of a State nearly out of debt, with a School Fund of two millions of dollars and upwards, constantly increasing, and a rate of State taxation which, independently of such special taxes as may be necessary for public buildings will not much, if at all, exceed fifty-five cents on each one hundred dollars of valuation under a standard of about one third of the real value for the valuation of the Assessor, is gratifying and ought to stimulate all who control our State legislation to continue in the same course of economy which has been pursued for some years past. It should also be borne in mind, as a further argument in favor of economy, that the State will be compelled to expend during the next ten years a very large amount in public buildings for the proper care of our insane and the custody of adult criminals and juvenile delinquents.

I have heretofore referred to the advantage of light taxation as an attraction to immigration, and need add nothing on this subject. The fault of all governmental machinery in every country and in every age has always been that it is too cumbersome and expensive, and bears with too much weight upon productive industry. It is out of this that all taxation and public expenditure must be ultimately paid.

EQUALIZATION OF ASSESSMENTS.

The law of last session upon the subject of equalizing assessments was passed in haste, and was designed rather as preliminary to a more perfect system. There is an evil and an injustice here, arising from the different standards either ignorantly or wilfully adopted in different counties, which call for remedy. The system will doubtless be improved by your Honorable bodies at this session. I take the liberty, however, of urging great care and caution to avoid sudden and radical changes in valuations which would fall oppressively upon taxpayers, and especially upon farmers.

The object to be attained is to secure a uniform valuation in the different counties, and one which approaches more nearly the market value of the property.

The report of the Commissioners discloses some gross inequalities, and at least one case of an extensive fraud upon the revenues of the State by the Supervisors of one of the counties. Your attention is especially invited to the report of the Board, which shows the necessity of a reform in the system.

SECRETARY OF STATE.

The report of the Secretary of State is herewith transmitted. The business of his office has been transacted with system and promptitude, and the purchases of furniture for the Capitol have been marked by judgment and economy.

ATTORNEY GENERAL.

The state of the various civil and criminal causes to which the State is a party will appear from the report of the Attorney General, herewith transmitted.

The suit respecting the title of the State to that portion of the Yosemite Valley occupied by J. M. Hutchings has been decided by our Supreme Court in favor of the State, and has been taken by the defendant to the Supreme Court of the United States by writ of error. There is no doubt that the appellate Court will affirm the judgment of the Supreme Court of this State. I respectfully recommend to your Honorable bodies to take some definite action to preserve the valley as a public reservation, in accordance with the grant to the State. A small appropriation would suffice to make every part of the valley accessible with ease and comfort, and would add much to its natural attractions.

It will doubtless be resorted to every year by thousands of tourists, if they are not repelled by a system of petty impositions, which will result from allowing the valley to be appropriated to private ownership. I renew the recommendation heretofore made that a liberal compensation be made to Mr. Lamon for his improvements, and that the same course be taken with Mr. Hutchings, when final judgment is rendered against him in the ejectment suit now pending.

PURITY OF ELECTIONS.

The Attorney General refers to the paramount importance of preserving the purity of the ballot-box, and adverts in terms of merited

censure to the course pursued by Government officers at Vallejo in the recent elections.

The essence of free government consists in the free and voluntary choice of officers by the electors. If this freedom is destroyed, and men are coerced into voting a particular ticket by threat of discharge and fear of starvation, the act of depositing ballots is a mockery and a fraud.

When officers marshal fourteen or fifteen hundred laborers to the polls, destroy the secrecy of the ballot by compelling the use of strips of pasteboard five eighths of an inch wide, printed closely in diamond type, so that alteration is impossible, they aim a blow at the existence of free government, and virtually direct the machinery of Republican institutions to defeat the popular will, upon which they are avowedly based. No partizan or personal considerations should prevent a prompt and effectual remedy for this abuse.

There is another evil which menaces the perpetuity of our institutions, and it is the open practice of bribery at elections. Laws of the most stringent character ought to be enacted to arrest this growing evil. When the time comes that the rank and file of the voters are for sale in the market, the exchange of republicanism for despotism will be only a question of time, and that a short time. Patriotism under such circumstances would become a theme for jest. It is here, doubtless, that a serious peril lies, and it is aggravated by the power of the great corporations which at the present day seem to be satisfied with nothing short of absolute control of the whole machinery of government. No intelligent man is blind to this peril, and there are not wanting already those who despair of a remedy.

Wise legislation, however, will aid much to correct the evil. It should be made a felony to offer or accept a bribe at an election, and a cause of disfranchisement, and a disqualification for holding any public office. Any officer guilty of this offence should be made liable in a quo warranto at suit of any citizen, and ousted from office if found guilty. This last provision would probably be efficacious.

Corruption at elections is stimulated by the practice of betting money upon the result. This practice is exceedingly pernicious and ought to be declared by statute a misdemeanor and a ground of disfranchisement ipso facto. Laws such as these would go far to afford a remedy in connection with an enactment providing for an uniform ballot on white paper, the passage of which I respectfully recommend.

SURVEYOR GENERAL.

The report of the Surveyor General is herewith laid before you, and contains some interesting statistics.

In my first biennial message this paragraph occurs:

"Our land system seems to be mainly framed to facilitate the acquisition of large bodies of land by capitalists or corporations, either as donations or at nominal prices."

In the same message the regret was expressed that any portion of the public lands had ever been disposed of except to actual settlers.

Posterity would hardly credit, without conclusive evidence, that at this age, under a republican government, the largest part of the public lands would be granted in fee to railroad corporations without condition as to price and terms of sale. A body of public lands comprising over fifty millions of acres, and embracing nearly the whole of Washington Territory, destined one day to be a great State, has been granted

in this manner to one corporation composed of a few capitalists. The public lands belong to the people, and it is not improbable that such legislation as this, if no other remedy avails, will in the future provoke revolutionary resistance on their part, defrauded as they are of their rightful patrimony.

If the lands had been held for settlement, and only the proceeds at Government price donated, no great objection would have been made; but the system tends directly to reduce the people to servitude and erect over them a despotism.

These grants ought to be revoked by Congress, and in lieu of the land the proceeds granted when sales are made to actual settlers. No vested rights worthy of respect can grow out of such transactions as these, so long, at all events, as the land is not sold by the donees to bona fide purchasers.

In the case of the swamp and overflowed lands a system of reclamation may perhaps render their concentration in large bodies in the first instance necessary; and, indeed, in the case of uplands, where large tracts have been acquired by purchase, the fault is chargeable to the system, and not to those who avail themselves of it to purchase lands.

Our State laws on this subject deserve a harsher criticism, if possible, than that made two years ago, and I respectfully recommend the repeal of all laws in this State providing for the disposal of public lands, and the enactment of some system, not the parent of land monopoly, and which would furnish those guards against illegitimate speculation that are lacking in the present system. The immediate repeal of all laws in force on this subject, saving rights already vested by entry and purchase, would allow time to frame a system better guarded against abuses; and I also recommend a memorial to Congress in favor of revoking all such grants as that made to the North Pacific Railroad Company, and of substituting for the land itself the proceeds when received from sales to actual settlers.

I have heretofore recommended legislation to prevent the snaring and killing of small birds and singing birds as a measure of great importance to agriculture.

In other countries these birds, which are so useful to the farmer in the destruction of insects, are propagated at great expense; while here we permit the indiscriminate slaughter.

The repeal of the system of "lawful fences" and the enactment of laws making owners of stock responsible for trespass by it will doubtless engage your attention. It is manifestly unjust to compel each farmer who purchases or takes up a quarter section to expend more than the price of his land to protect himself against his neighbor's cattle. Every man ought, in justice, to be required to take care of his own stock or suffer the consequences. The present fence system has been an incubus upon agriculture, which is becoming every year more intolerable.

Upon agriculture, which is the basis of our prosperity, is placed the burden not merely of the cost of fences at first, but of their renewal and repair from year to year.

Public sentiment demands a reform of this injustice, and I doubt not its demand will be heeded by your Honorable bodies.

FISH.

Your attention is also invited to the report of the Fish Commissioners. These gentlemen serve without compensation, and have shown a com-

mendable economy. Their report is one of great interest, and valuable results are anticipated from their labors. The law of last session needs some amendments to make it efficient, and these are suggested by the Commissioners.

An experiment has been made in stocking the upper Sacramento with shad, which promises good results. The Commissioners ask the appointment of a Joint Committee on "Coast and River Fisheries," to take charge of this important subject. The publication and distribution of their report cannot fail to be useful, and the legislation recommended will preserve and increase the supply of fish in the bays, lakes, and streams of this State.

COMMON SCHOOLS.

The subject of popular education is justly regarded as of vital importance to the maintenance of democratic institutions.

The people of this country are as unanimous as any people could well be on any subject in favor of an efficient system of common schools, removed from partizan and sectarian influences, where the whole mass of children can receive instruction at public cost. The improvement and growing efficiency of our own common school system is a subject of just pride and of hope for the future.

Vice and despotism are the offspring of popular ignorance; virtue and liberty of popular education. The report of the Superintendent of Public Instruction gives the following figures of results for two years past:

The whole number of children in the State between the ages of five and fifteen years, is reported at one hundred and thirty thousand one hundred and sixteen, of which number one hundred and twenty-seven thousand nine hundred and eight are white; nine hundred and one colored, and one thousand three hundred and seven Indians under the guardianship of white persons; the number under five years of age is sixty-six thousand two hundred and ninety-two; making the total number under fifteen one hundred and ninety-six thousand four hundred and eight, against one hundred and seventy thousand seven hundred and twenty-six, reported two years ago. Four years ago the number under fifteen was one hundred and forty nine thousand three hundred and six—an increase in four years of forty-seven thousand one hundred and two.

The number in attendance at the public schools during the present year was eighty-three thousand six hundred and twenty-eight; at private schools, fifteen thousand five hundred and twenty-four; attending no schools, thirty thousand nine hundred and sixty-four.

In eighteen hundred and sixty-seven the number in attendance at the public schools was reported at fifty-four thousand seven hundred and twenty-six; upon private schools, fourteen thousand and twenty-six; and upon no school, twenty-four thousand four hundred and eleven. These figures furnish food for reflection. It seems, with all the zeal and interest manifested in this cause by the Superintendent, the teachers, and the public, there are six thousand five hundred and fifty-three children more not attending any school than there were four years ago. Such a fact ought to stimulate to redoubled diligence in the extension of our Common School System, so as to gather within its influence all children between five and fifteen not educated at private schools.

The number of schools reported this year is one thousand five hundred and fifty, an increase of four hundred and sixty-seven since eighteen hundred and sixty-seven. The number of teachers this year is two thousand and fifty-two, an increase of six hundred and sixty-three teachers since eighteen hundred and sixty-seven. The number of new school houses built during the year was one hundred and twenty-five, some of them large and expensive buildings.

The total value of school property is three million three hundred and sixty-two thousand five hundred and eighty dollars and eighteen cents, and the total expenditure for public schools is one million seven hundred and thirteen thousand four hundred and thirty dollars, an increase of one million six hundred and sixteen thousand two hundred and forty-four dollars and forty-six cents in the value of school property, and of four hundred and twenty-two thousand nine hundred and eighty-five dollars and twenty cents in annual expenditure, since eighteen hundred and sixty-seven.

The exhibit would be a good one but for the large number not in attendance, and in reference to this it may be said that the percentage of increase of attendants is larger than that of non-attendants. There are many of the sparsely settled districts and those now being settled where the maintenance of schools will be difficult for some time to come. In some districts also, especially in the southern part of the State, there is a strange indifference manifested by the people to giving their children school facilities.

The Normal School building in San José was located upon one of the public squares of that city under the law of last session. The progress made in its erection will appear from the report of the Superintendent of Public Instruction. A continuance of the special building tax will be requisite to insure its completion.

MILITIA.

The report of the Adjutant General presents the strength of the militia organization and some arguments in favor of its utility.

I regret that at the last session so little heed was given to the recommendations in favor of increasing the efficiency of the companies. They are the right arm of the State in the event of serious disturbance, and as an adjunct to the civil authorities could not be dispensed with. They have not been treated for the past four years with liberality, nor even with justice. Not a uniform has been furnished to the infantry, nor can one be with a tax of only one and a quarter cents. The companies use the old muzzle-loading muskets, which are practically worthless. An appropriation of fifteen thousand dollars would suffice to change two thousand or twenty-five hundred of the muskets now in use into breach-loaders of improved pattern, equal to any demand for service. A tax of two cents would suffice to increase the allowances as they ought to be, especially for the artillery, and to furnish the companies with new uniforms as required.

It is desirable to manifest on the part of the public some appreciation of the zeal, *esprit de corps*, and discipline of the State military, which contains all the elements of a superior body of citizen soldiery, and the State ought either to make a respectable provision for those who give their time freely to its service, or else abandon the organization and trust to fortune for the suppression of riots and mob violence.

A single company of infantry in Los Angeles might, and probably

would, have suppressed the recent mob in that city before it had brought lasting reproach upon the State by the barbarous murder of a number of Chinamen, most of whom were innocent of any offence whatever.

It became necessary during last Summer to remove the arms and equipments from the place of storage where they were rapidly going to destruction with rust and mould, and place them in a suitable armory obtained upon what were regarded as favorable terms of rent.

STATE PRISON.

The receipts and disbursements at the Prison are given in the report of the Resident Director. The number of inmates on the first day of August last was eight hundred and eighty, and in November last nine hundred and seven (907).

The Resident Director and the majority of the Board in their report make a variety of recommendations, to which your attention is invited.

There is one change needed, however, without which, in my judgment, it is useless to expect anything like a perfect system of prison discipline and management. This is, that the Lieutenant Governor should be relieved from the custody of the prisoners, and a permanent Warden appointed. A Board of Prison Directors of three, five, or seven ought to be appointed by the Governor, to serve without further compensation than their traveling expenses, as is the case with the Directors of the Insane Asylum.

The Directors should be appointed by the Governor, without reference to partizan politics, and subject to removal by him. The Warden should be appointed by the Board of Directors, and subject also to removal by them; and he should select his own subordinates. It is certainly strange that it should be so difficult to inaugurate this salutary reform. There can be no question of its expediency, both on the score of economy and humanity. At the last session a bill was prepared and introduced into the Assembly establishing this system, but it failed to pass that body, and in lieu thereof a bill perpetuating the present system, and making it, if possible, still more objectionable, passed both Houses, but was not approved. The Warden of a prison where eight or nine hundred men are confined ought to be selected with reference to his aptitude for the care and management of such an institution, and should not be subject to removal with the entire corps of subordinates whenever there is a change in party ascendancy.

There has been a gratifying improvement in the discipline and general condition of the Prison during the past four years. The obligation resting upon us to adopt every available means to make still further improvement in the condition of the convicts and in the management of the Prison is enforced by sentiments of humanity and a regard both for the public interests and the welfare of the criminal. With the change of system heretofore recommended and the erection of additional cell buildings, which are urgently needed, the system known as the Irish system could be introduced. A separate Prison or House of Correction ought to be provided for juvenile delinquents and for such as are confined for their first offence.

At present all the inmates, young and old, those capable of reform and amenable to good influences, and those hardened in crime, are confined together, to the great detriment of the unfortunate young men who are thus educated in vice and turned loose to prey upon society. This evil can only be effectually remedied by a separation of prisoners and

providing an intermediate Prison or House of Correction, which has been recommended by my predecessor in office and myself. During the last two years a teacher has been employed to instruct the prisoners, with gratifying results. One hundred and ninety have been taught to read and write since April, A. D. eighteen hundred and seventy. I invite the attention of your Honorable bodies to the report of the Resident Director, which contains many useful suggestions. In the management of the Prison the Directors have studied economy, and have endeavored to make a judicious use of the moneys appropriated; but it must not be forgotten that while it is desirable to reduce the cost of the Prison the reformation of the convict should be the paramount consideration.

The State cannot afford to economise expenditure at the cost of failing to make the Prison reformatory, and such disbursements as are necessary for this purpose ought to be cheerfully made. When the present Board came into office the labor of the prisoners was let to contractors at thirty cents per day per man. The price was considered too low, and the Board resolved to increase the rate to fifty cents. This was done, and some of the contractors threw up their contracts. To avoid being left with nearly the whole labor unemployed, the price was reduced to forty cents, as there was no possibility then of employing the labor on State account. The present Board adopted the system of advertising for supplies, which has reduced the cost of subsistence and at the same time secured a better quality of provisions. It would occupy too much space to detail the improvement in the condition of the Prison during the past four years. It has been so marked as to attract the notice of all who have visited the institution, and yet with the change of system recommended and suitable cell buildings the condition of it can be still further improved and still better results secured.

The contract system might then be abolished and the Prison possibly be made self sustaining, which can never be done under the present system.

The sole responsibility of the exercise of the pardoning power under the Constitution and laws of this State is devolved upon the Governor. Under an Act passed in eighteen hundred and sixty-eight the Board of Prison Directors are authorized to select such cases as they think worthy of pardon and present the list to the Legislature, and upon the approval of their recommendation by the Legislature the Governor is authorized to act. The practical working of this Act is not satisfactory, and its repeal would be advantageous. The selections for recommendation are liable to be hastily and indiscriminately made, and the Legislature has not the means of acting intelligently upon the report of the Prison Directors. It would be better to leave the sole responsibility with the Executive.

It is an onerous and oppressive responsibility, but the public interests are better secured by having it fixed upon one, than by having it distributed between the Prison Directors and the Legislature.

INSANE ASYLUM.

The Reports of the Directors and Superintendent of the Insane Asylum show at present in that institution one thousand and ninety persons, of whom seven hundred and eighty-six are male and three hundred and four female. The care of its insane is a sacred duty resting on the State, and all who are jealous of its reputation for humanity cannot

avoid a feeling of chagrin that this large number of these unfortunate beings should be crowded together in quarters so insufficient for their proper accommodation. It has been an arduous task to make adequate provision for the care and treatment of this large number of insane in buildings, the dormitories of which are fitted to contain not more than two thirds of the number.

The great increase in the number of patients has caused a deficiency in the expenditures of the institution, the amount of which will appear from the reports.

This ought to be provided for early in the session. The management of the institution by the Superintendent and assistant physicians has been unexceptionable, and the Directors have been actuated by a single desire to promote the welfare of the inmates, and at the same time to make a judicious expenditure of the appropriation.

The members of the Board are men of good business judgment, and enjoy the confidence of the public, and I doubt not have aimed at economy. I trust the recommendations of the Superintendent will not be passed by at this session. The inclosing of the grounds so as to prevent escapes, and the building of the north wing, recommended by him, are urgently necessary, and provision for these ought to be made without delay.

It has also become a necessity to provide another asylum in this State, and its location ought to be fixed upon by a Commission of three or more persons, to be appointed by the Governor. The unanimous opinion of medical gentlemen, and of all intelligent men, is that the additional asylum for the insane should be located in one of the counties bordering on the Bay. There are cogent sanitary reasons for this, aside from the question of economy and facility of transportation, so large a proportion being sent from San Francisco.

In this connection allow me to call your special attention to the report of the Commissioner, Dr. Wilkins, who was appointed under the Act of last session to visit the asylums in the East and Europe. It presents a great number of interesting facts and statistics, and a careful perusal of it will aid very much intelligent legislation upon a subject which addresses itself so strongly to the sympathies of every man who has a heart to feel for the affliction of these victims of mental disease.

In enforcing upon your attention the absolute necessity of additional provision for these unfortunates, both at Stockton and in a separate institution, I only second the appeal of the officers of the Asylum and of the Commissioner in his report, which it would be a violation of duty to fail to urge upon you, and to which common humanity requires the Legislature to respond.

The people of this State have reason to be proud of the improvement in their public institutions, and deserve credit for the disposition to make suitable provision for them, but there is danger of a neglect to provide properly for the insane among us which would bring upon the State merited reproach.

ASYLUM FOR THE DEAF AND DUMB, AND THE BLIND.

The number of boys and girls in this institution September eighteenth was one hundred and two (102), as follows: sixty-four (64) deaf and dumb—thirty-seven (37) male, and twenty-seven (27) female; thirty-one (31) blind—eighteen (18) male, and thirteen (13) female. The number would be increased doubtless if the people of the State were more

generally informed that no charge is made in the institution except for clothing and traveling expenses.

The Directors report a deficiency of twenty-eight thousand dollars ($28,000), of which more than twenty thousand dollars ($20,000) appear to be for permanent improvements. The gentlemen composing the Board of Directors, and the ladies who visit the Asylum, give their time without compensation to this benevolent work.

It is a source of gratification to know that the polluting influence of party politics has not invaded the charities of the State during the past four years. If the Prison could be rescued from this influence also, and these institutions could be kept free from this contamination, there would be a great gain to the cause of humanity, as well as to the public revenues.

The reports of the Directors and Superintendent will give a correct view of the operations of the Asylum for the period of twenty-two months ending July thirty-first.

The management of the Asylum by the Superintendent and Assistants cannot be too highly commended. The estimate of amount needed for current expenses of the next two fiscal years is thirty-six thousand dollars ($36,000) per annum, or seventy-two thousand dollars ($72,000) for the two years.

STATE HARBOR COMMISSIONERS.

Under the present system, jurisdiction over the water front and wharves of San Francisco is vested in this Board. The Board ask for authority to make a further reduction in the rates of dockage, tolls, and wharfage; also, the purchase of a dredging machine, and I recommend an amendment to the present law, placing every part of the water front, including the frontage on Channel street, more distinctly within the jurisdiction of the Commissioners. There is no doubt that the public interests would be promoted by action upon these recommendations.

If the purchase of a dredging machine had been authorized at the last session this work could have been done at much less expense than under the present system.

The sea wall, so far as constructed, seems to answer the purpose, and the plan adopted and thus far pursued has the advantage of economy over any other one advocated. The dockage upon vessels has been reduced from twenty to twenty-five per cent, and there has also been some reduction in the rates of tolls.

Three thousand two hundred and fifty-two feet of the sea wall have been constructed, terminating at a point fifty-two feet north of Howard street. The engineer recommends a reduction of the length of the Market, Mission, and Howard street wharves from six hundred to three hundred feet, and the location of wharves of the latter length between those streets. This would diminish one half the area to be dredged between those wharves.

TIDE LANDS.

The report of the Board of Tide Land Commissioners gives the results of the operations of this Board, a summary of which also appears in the Controller's report. The nett proceeds of sales to November first, eighteen hundred and seventy-one, are stated by the Controller at nine hundred and eighty-seven thousand seven hundred and fifty-five dollars and ninety-two cents ($987,755 92), of which six

hundred and seventy-nine thousand eight hundred and twenty-nine dollars and ninety-five cents ($679,829 95), are deferred payments, not yet realized in cash. The tide lands in Contra Costa and Alameda Counties are advertised for sale on the eighth day of December instant, and together with amounts to be realized from releases and compromises in San Francisco will swell this aggregate considerably. Of the net proceeds of these lands the sum of eight hundred and thirty-three thousand three hundred and thirty-three dollars ($833,333), sufficient to produce fifty thousand dollars ($50,000) at six per cent, is devoted to the University endowment, the surplus being payable into the School Fund. The hydrographic survey of the tide lands in Marin, San Francisco, San Mateo, Contra Costa, and Alameda Counties has been necessarily expensive, but is thoroughly done, and will prevent controversies hereafter. The removal of this source of contention from the Legislature has been a great relief to the legitimate business of the sessions, and has secured to public institutions the cash value of these lands.

There are some valuable lands unsold in San Francisco, and beside these the State title is a cloud upon a large portion of the lots within the one hundred vara survey, owing to the manner in which the lines were run by the United States Surveyor General in delineating the pueblo lands. The Commissioners adopted the policy of releasing at a nominal price the title of the State to such portions of these last named lots as were applied for by the owners. The State has no claim in equity to this property. The present owners have the city title, with fifteen to twenty years of undisturbed possession under a title which has been universally recognized as valid. The time for releases of this character having elapsed it would be both just and expedient to authorize the owners of any parts of these lots north of Mission Creek, within the old city survey, to pay to the County Treasurer of San Francisco for account of the State the price of any lot or part of lot at the rate fixed heretofore by the Commissioners, with the proviso that upon such payment the Treasurer shall issue a receipt, to be acknowledged and recorded, which shall enure to the benefit of the holder of the city title, whoever he may be. In this manner these titles would be quieted without any risk of injustice to any one.

There will be no necessity for the continuance of this Board after the session, as the duty of reselling forfeited lands can be devolved upon the State Board, which consists of the Governor, Controller, and Surveyor General.

STATE UNIVERSITY.

The State University has been gradually enlarging its sphere of influence during the past two years, and has now in its classes three hundred and one students, not including those who attend the lectures before the Mechanics' Institute of San Francisco, and who are enrolled as students of the College of Mechanic Arts.

These numbered last Winter about five hundred more, and the same number will probably be enrolled this Winter. There ought to be but one opinion as to the great benefit which this institution will confer upon the State, and I have regretted to notice an impression upon the minds of some that there is a conflict in any respect between the interests of the University and of the common schools.

So far is this from being so, the former is the fit culmination of the latter, and will tend to perfect and develop our system of popular education.

The endowment of the University will not be fully realized for two years to come, and in the meantime some provision is indispensable for its support. A liberal policy toward the University will well repay the State in the future.

Collecting a body of men of scientific attainments and of ripe scholarship, devoted to the higher branches of education, the reformation of abuses as the result of a more elevated public sentiment, the effective advancement of knowledge, which is emphatically power, perfection in agriculture, in metallurgical processes, and in mechanics, as well as in literature, science, and philosophy, are direct results of university education that are worth tenfold the cost. A generation or two must pass away before it would be practicable to found by the liberality of private citizens an institution with the means for usefulness which the State University will afford. No man concerned for the future of California ought to be indifferent to its prosperity.

The question of providing buildings for the University has probably but one solution, and that is in a small special tax devoted to this purpose. A tax of two cents would suffice to provide buildings in Oakland upon an economical plan which would last for some years, and the enhanced value of the blocks now occupied would then furnish ample means for buildings at Berkley. In the meantime an experimental Farm and College of Agriculture could be established at the latter place, which is doubtless in all respects the most desirable permanent site for the institution. No one feature of legislation has tended more to elevate the character of this State abroad than the founding and endowment of a University, with doors open to all, high and low, rich and poor, male and female.

GEOLOGICAL SURVEY.

The report of the State Geologist will show the progress made in the survey since its resumption in the Spring of one thousand eight hundred and seventy. I have never doubted the practical utility of the survey, nor the wisdom of its continuance. The maps alone, when completed, would justify a large expenditure to secure them. It is needless to occupy space in enumerating the benefits which have in part resulted and will hereafter more fully accrue from the completion of the survey. It has done much to draw the attention of intelligent men in Europe and the Eastern States to the material resources of California and its varied attractions.

The geological map of the central portion of the State will probably be completed before the end of the session. A pocket edition of the Yosemite Guide Book has also been published, and a large amount of field work done, preliminary to completing the geographical map of Central California, a part of the State comprehending about ninety-five per cent of the population. The first volume of ornithology, embracing the land birds of the continent, west of the Rocky Mountains and north of Mexico, has been published with engravings, the execution of which has been highly commended. The volumes of botany and conchology, are under way, and also the second volume of ornithology, which will embrace the water birds of the Pacific Coast. The most eminent scientific men of this country and Europe have expressed their high appreciation of the survey, and many of them have counselled and advised in reference to the different departments of the work.

STATE CAPITOL.

The work on the new Capitol shows for itself. The building on the whole is a creditable one, in spite of some minor defects of plan. The work has been pushed as rapidly as possible since its resumption, and the expense has been, as usual, beyond the estimate. The heating apparatus has been provided at a much heavier cost in money and at much greater inconvenience than if the building had been planned with reference to it originally, and nothing but the knowledge of its absolute necessity induced the Board of Commissioners to incur the expense and trouble of placing it in the building. It will be found without doubt to answer well the object. A very great improvement was made by omitting the flight of steps in front to the second story. This has assisted to give more apparent elevation to the building, and at the same time avoid converting the first story, in which the Supreme Court room and principal State offices are located, into a basement. The change has added to the light and ventilation of the rotunda, and is one in every respect indorsed by some of the most eminent architects in San Francisco, whose opinions have been sought upon the subject. It also saved an estimated expense of over seventy-five thousand dollars.

It was found impossible to complete the stone figures to be placed in the pediment of the front portico before the session. In order to accomplish what has been done it was necessary to anticipate a large portion—the largest part, indeed—of the next year's tax. The amount of warrants outstanding upon the Capitol Fund on the first day of November is stated in the Controller's report at three hundred and twenty thousand dollars ($320,000), of which something more than two hundred and six thousand dollars ($206,000) will be paid this Winter. The whole expenditure upon the Capitol since its commencement, as nearly as can be ascertained from the records of the Controller's office, is one million nine hundred and thirty-nine thousand dollars ($1,939,000), including the bills for the month of October. The Architect's report will show the items of expenditure since November first, eighteen hundred and sixty-nine.

The estimate of cost to complete the building and grounds is two hundred and forty-seven thousand two hundred and forty-two dollars ($247,242).

It may exceed this figure slightly, but the Commissioners in their report estimate that the continuance of the Capitol tax of ten cents for two years will furnish funds sufficient, after paying the outstanding warrants, to complete the building and grounds, and also the Governor's Mansion and grounds, and this is probably a safe estimate.

Of the special appropriation of two hundred and fifty thousand dollars ($250,000) made at the last session, the sum of fifty thousand dollars was devoted towards the purchase of ground and the erection thereon of an Executive Mansion. If it was expected that this sum would purchase a block of ground and erect upon it such a Mansion as would be suitable for the purpose, the expectation was not reasonable. The sum of fourteen thousand dollars ($14,000) was expended in the purchase of the block, and the remainder of the sum allowed has been expended upon the building, which is well constructed as far as it has progressed.

and if finished according to plan will be one of the most substantial and best arranged dwellings in the State. The first plan made by the Architect was rejected by the Commissioners as too expensive, and the present plan was adopted in its stead. The estimate of the amount needed to complete the building is thirty-eight thousand dollars ($38,000).

It is proper in every aspect that the State should provide a suitable residence for the Governor, and the special advantage of it consists in affording him a residence where the members can meet socially during the session and enjoy those opportunities for conference and interchange of views so desirable to prevent misapprehensions and promote harmony of action between the Executive and Legislature.

The amount already expended upon the Mansion and grounds exceeds the sum of fifty thousand ($50,000) by about sixteen thousand dollars in materials and labor drawn from the Capitol building. This was necessary in order to secure sufficient progress in the Mansion to protect it effectually from the weather, and with the hope, at first, that it might be completed this Winter; but this was found to be impracticable. It will be expedient to authorize the Capitol Commissioners to expend upon the Mansion such sum as may be necessary to complete it, with the grounds and outbuildings, and to devote such specified sum as may be necessary to furnishing the house when it is finished.

REVISION OF THE STATUTES.

The Commissioners appointed under the Act of last session to revise the statutes have been diligently employed since their appointment in the work of arrangement and revision.

The laws as arranged by them are divided into four Codes: a Penal Code, a Code of Civil Procedure (both finished), a Civil Code (also finished), and a Political Code, which will be ready probably in January.

That the Commissioners have expended much labor and care upon the work is evident, and such portions of it as I have been able to examine have impressed me very favorably.

The Penal Code and Code of Civil Procedure embody in the main the various provisions of law already in force upon these subjects, systematically arranged, with such amendments as are obviously desirable.

Most of the changes made in the Civil Code are drawn from the Civil Code of New York, a work which bears the impress of thought and labor, and, if adopted, will be an important advance in legislation. The provisions taken from the New York Code have been subjected to careful scrutiny.

Considering that no greater political blessing can be conferred upon the people than simplicity and clearness in their code of laws, and the adaptation especially of the latter to the wants of this commercial age and to the changes which the progress of political science has rendered inevitable; considering the importance of uniformity in laws of a general nature, and of putting an end to the flood of unnecessary local and special legislation which encumbers the statute books, and seems to have no object, except to swell the volumes in bulk, and occupy the time o the Governor and Legislature during the session; and having in view the difficulty of securing a satisfactory revision, the unavoidable expense attending it, and the improbability of a committee of the two Houses being able to devote as much time as they would desire to a thorough examination of the Codes, it was deemed best by my successor in office and myself to request two members of the bar of known qualifications

and professional experience to make an examination of the work of the Commission, so as to facilitate the labors of any Joint Committee which might be appointed by the Senate and Assembly. I trust this step will be sanctioned by the Legislature, and that proper compensation will be made to these gentlemen for their time and labor. It was a duty not sought or desired by them, but simply accepted in compliance with a request made. A copy of the correspondence is herewith transmitted.

CORPORATIONS.

The great feature of modern civilization is the combination of capital in associations for the execution of enterprises involving too much capital to be undertaken or too much risk to be incurred by individuals. These associations are provided for here under general laws, and have doubtless aided very much in the rapid development of the material resources of this State as similar ones have done in other States. They are usually endowed also with special franchises or privileges. In the case of railways the sovereign power of eminent domain is exerted in their behalf, and I feel bound to say that it has been exerted in this State in some instances oppressively and without a just regard for the rights of private citizens.

I am not wanting in appreciation of the great advantages to accrue from a development of our railroad system, but this should be made in harmony with the rights of private citizens to the possession and enjoyment of their property. The Constitution declares that private property shall *not* be taken for public use without just compensation. In this State, in the face of this provision, corporations are permitted to enter into possession before the final termination of proceedings for the condemnation of property and of course before any compensation is in fact made to the owner. Indeed, I cannot avoid the conviction that the right of the citizen to his property and the force and effect of constitutional provisions have been lost sight of, and the organic law virtually abrogated, in order to facilitate the operations of corporations.

Courts cannot now be justly condemned for following a current of judicial decisions, and where the current is so strong that the Courts feel unable to afford a remedy one ought to be promptly applied, either by the legislative authority or by a change in the organic law.

The sanctity of private property cannot be too jealously guarded. Its real or supposed violation has been the origin of the overthrow of Governments and of more revolutionary resistance to authority than any one cause, perhaps, or than all other causes combined.

In this State, prior to eighteen hundred and sixty-nine, the right of the Legislature to provide for the taxation of private property in aid of railroad corporations had been acquiesced in with very slight opposition, and laws providing for the issuance of county bonds to these corporations to aid the construction both of general and local lines of road had been enacted at several sessions, including the last session, without any considerable opposition, except to the details of the measures.

The main principle involved met with so general a concurrence that opposition to it seemed idle. At the close of the last session my own attention for the first time was seriously fixed upon the results of this kind of legislation in other States, and the probable consequences of it here. The more I reflected upon it and examined it the stronger was my conviction that it was not authorized under the Constitution, if the question could be regarded as an original one, apart from previous decis-

ions, and at all events that if constitutional it was fraught with mischief and injustice, and would result in great evil to the State unless promptly arrested. The question whose duty it was to endeavor to arouse public sentiment and seek to array it against the system, was one that did not admit of much doubt. Public office brings with it certain manifest duties and responsibilities. Any Executive, placed in office to guard the interests and promote the welfare of the people, who would permit himself to be prevented from acting upon his clear and deliberate judgment, either by fear of abuse and calumny, or of a charge of inconsistency, would be unworthy of his position and of public confidence. I did not give myself much concern as to either result, but after forming such opinions complied with a plain duty in urging the people of the State to oppose every method of taxing private property for the benefit of corporations of any character. It is not to be denied that many whose good faith could not justly be impugned took a different view of the subject, and deemed the system of subsidies to be not only constitutional, but just, expedient, and indeed necessary. I have no disposition to reflect upon those who entertained these views, but the people in the recent Conventions of both parties have emphatically declared against every species of taxation for the benefit of private corporations, and in favor of repealing the five per cent law, and of amending the State Constitution so as to prohibit all such legislation in future. That the Legislature will give effect to the popular will so clearly expressed does not admit of doubt.

Aside from the question of eminent domain and of taxation of private property, another of great importance to the people is the subject of regulating the charges upon railways.

This power is vested in the Legislature and is exerted in the general law under which these corporations are formed. The present maximum rate of fare is ten cents per mile, and of freight fifteen cents per ton per mile.

These rates are so excessive that in fact they are never charged or collected. Complaints are made, however, in some sections that the railway charges for freight are so high as almost to prevent the use of the lines for transportation, and similar complaints are made as to the fares.

The rates should be reduced to such figures as would be just to the public and at the same time leave the corporations a fair profit for the business.

NEW APPORTIONMENT.

The census of eighteen hundred and seventy renders a new apportionment of Senators and Assemblymen necessary at this session. From an examination of section thirty of Article Four, and section fourteen of the Schedule of the State Constitution, it would seem that the spirit of that instrument requires the State to be divided into Senatorial and Assembly Districts. If this duty is not imperative, it is certainly expedient to make such division, especially when the City and County of San Francisco is entitled to more than one fourth of the members of each House. A representation by districts would secure a more just representation, and doubtless a higher grade of qualification in the members. If the City and County of San Francisco becomes entitled to twenty-one or twenty-two members of Assembly, it should be divided into as many Assembly Districts, and so with every county entitled to more than one member.

The minority in the county would have in this way a better opportunity of securing some representation.

APPOINTMENTS TO OFFICE.

The useful administration of public affairs depends to a great extent upon the manner in which subordinate offices are filled.

When resort is had to the agency of nominating conventions or legislative caucuses the public interests are usually lost sight of. Subordinate offices of a city should be filled by the Mayor, and of the State by the Governor, with power of removal.

Where one responsible source can be appealed to by the public, abuses will not be so likely to occur. No argument is needed to show that a chief magistrate of a city or State, careful of his reputation and of the public good, will not be so liable to commit errors in selections for public trusts, while in the other cases there is no adequate sense of responsibility, and too often in nominating conventions an utter disregard of the public interests.

A Board of Public Works in San Francisco, to assume charge of the various departments of public works now in the hands of Commissioners, seems to be desired by the citizens generally, and if selected in this way would doubtless result advantageously.

STATE BOARD OF HEALTH.

The report of the State Board of Health, by its Secretary, Dr. T. M. Logan, herewith transmitted, contains much interesting statistical matter respecting the sanitary condition of the State and its meteorology. A cursory perusal of it will satisfy any one of the wisdom of creating this Board, and the practical as well as scientific importance of its investigations.

The report will well repay examination.

IMMIGRATION.

The importance of inviting and facilitating the immigration of a farming population from the Eastern States and Europe has been felt by all intelligent men in California, and was presented to the Legislature at the last session for their consideration and action. No part of the world offers inducements to such immigration equal in all respects to the Pacific Coast of the United States. The advantages of California in climate, soil, and products need only to be known and reasonable facilities offered in order to induce a large influx of the class which we most need. California may be said to lack nothing but population, but the supply of this can be materially hastened by a moderate annual expenditure to disseminate accurate information on this subject in the Eastern States and Europe.

The most important work in this direction which has been performed as yet has been done by the California Immigrant Union, an association composed of public spirited citizens, which has been supported hitherto by private contributions. A moderate appropriation to enable this agency to extend its operations for the next two years would be doubtless beneficial, and better results would probably be secured than by the creation of any salaried office for the purpose.

No more important subject can engage your attention.

CONSTITUTIONAL CONVENTION.

The defects in our present State Constitution are so numerous that nearly every Article could be amended with advantage.

There are two amendments now pending to section thirteen (13) of Article eleven (11), also amendments to sections one (1), three (3), five (5), seven (7) and ten (10) of Article six (6), to section one (1) of Article nine (9), and to section two (2) of Article four (4). The amendments can be found at pages nine hundred and three, nine hundred and four, nine hundred and five, and nine hundred and six, of the laws of last session, and have been published as the law requires.

There is a defect of phraseology in the proposed amendment to section three (3) of Article six (6).

Without occupying space to point out the various particulars in which the Constitution requires change in order to adapt it to present needs, it is evident that the process of legislative amendment results in making the Constitution a piece of patchwork, and is inadequate to accomplish the desired result.

Our judicial system needs remodelling, and the provisions relating to the assessment and levy of taxes need to be made more elastic. I have for some years regarded a Constitutional Convention as desirable, and its necessity seems to increase every year. The expense attending it need not be onerous, because the best men in the State would doubtless consent to serve in it for a moderate compensation. Our present Constitution was framed more than twenty-two years ago, and, as might be supposed, the whole instrument needs careful revision.

I therefore recommend that the necessary steps be taken to call a Convention to revise our present Constitution and frame one better adapted to the wants of the people and to the progress which the last twenty years have made in the science of government.

RETROSPECT.

I have thus made such recommendations as seemed to me proper and communicated such information as appeared to be desirable respecting the condition of State affairs. A brief review of what has been accomplished by those who during the past four years have had the administration of the State Government is not at this time inappropriate.

The faithful custody and disbursement of the public revenues; the payment of about one third of the State debt; the reduction of taxation from one dollar and thirteen cents ($1 13) to eighty-six and one half cents (86½); the improvement in the Prison buildings and in the discipline and management of the Prison; a better system for the government of the Insane Asylum; the completion of the Asylum for the Deaf, Dumb, and the Blind; the organization and endowment of a State University upon a basis which must secure it against the invasion of partizan politics; the progress in completing the State Capitol; the prevention, to so large an extent, of special legislation; the progress made toward a thorough revision of our statutes, and the perfection of our revenue system by equalizing assessments; the successful disposal of the tide lands of the State; the repeal of a vicious system of bounties, and the overthrow of the subsidy system, which levied taxation and created debt for the benefit of private corporations; the large increase of the Common School Fund and the extension and improvement of the school system;

the erection of a State Normal School; the more thorough arrangement of the State archives in the offices of the Controller and Secretary of State; the organization of a State Board of Health, for the collation of statistics of hygiene; the law for the preservation of fish in our bays, lakes, and streams; the prosecution of the geographical and geological exploration and survey, constitute an imperfect summary of the administration of the State Government for the past four years. This period has been an eventful one in the history of the State in other respects. One continental line of railroad has been completed, and three others are in progress, and our internal railroad system is being rapidly extended. The great industries of the State have undergone a healthy development, notwithstanding the temporary stagnation of labor and capital occasioned by two unusually dry seasons. Enterprises for the irrigation of the uplands in the San Joaquin and Sacramento Valleys and for the reclamation of the swamp and marsh lands have been entered upon, the success of which promises results of the greatest importance and value in the future. Our mining, manufacturing, agricultural, and commercial interests have prospered.

In terminating my official relations with those associated with me in the administration of the State Government for the past four years, it would be unbecoming to fail to acknowledge my indebtedness for uniform cordial support and the faithful efforts made to discharge their several duties.

Four years ago I was summoned by the partiality of my fellow citizens from a congenial profession to assume charge of the Executive Department of the State Government. The trust is one of the gravest character, and in my inexperience of public affairs was accepted by me with hesitation and with diffidence. If I have not accomplished all that was desired for a State to which I feel bound by so many ties, it is not, at least, too much to claim that some substantial good has been done and much mischief prevented.

In transferring executive responsibilities to my successor, I invoke for him a just and considerate judgment of his efforts to protect the public interests, and a hearty support in all measures to promote the public welfare.

I trust that under the guidance of him and his successors our noble State may advance in a career of solid prosperity; that its people may progress in intelligence and morality; and above all, that a good Providence may inspire them with that love of public virtue which has been well said to be, "after religion, the brightest ornament of the mind of man."

H. H. HAIGHT.

APPENDIX

TO

GOVERNOR'S MESSAGE.

LIST OF PARDONS FROM STATE PRISON,

GRANTED BY GOVERNOR HAIGHT,

From December 10th, 1869, to , 1871, inclusive.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
John Davis.....	Sierra.....	Murder 1st degree.	July, 1864.....	Natural life.

DECISION.—Whereas, the District Judge before whom the case was tried, the Prosecuting Attorney, and a large number of the most respectable citizens of the County of Sierra, including the County Judge, District Attorney, all the county officers, and several members of the grand and petit juries, have recommended the pardon of said Davis, and the circumstances of the case as stated and the testimony show circumstances of mitigation, and he has suffered imprisonment of five years—now, therefore, let him be pardoned and restored to citizenship. December tenth, eighteen hundred and sixty-nine.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Frederick Leill.....	Fresno.....	Perjury	January, 1865.....	Eleven years.

DECISION.—Whereas, a petition has been received, signed by the County Judge and District Attorney, County Clerk and Sheriff, of Fresno County, and by a large number of respectable citizens of said county, urgently soliciting the pardon of the said Leill; and whereas, he was recommended for pardon by the Board of Prison Directors in their report to the Legislature at its seventeenth session; and whereas, mitigating circumstances connected with his case, and he has already served out nearly one half of his term of sentence—now, therefore, let him be pardoned and restored to citizenship. January twelfth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Ah Lin.....	Siskiyou.....	Robbery.....	April, 1867.....	Five years.

DECISION.—Whereas, the Physician of the State Prison has certified that the said Ah Lin is suffering from dilitation of the heart and cannot possibly recover and is liable at any moment to die from the effects of said disease—now, therefore, let him be pardoned, on condition that he leave the State within thirty days after receipt of this pardon, never to return. January eighteenth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Louis Paidill..... *alias* Louis Marshall.....	Sacramento....	Robbery.....	May, 1865.....	Seven years.

DECISION.—Whereas, a petition has been presented, signed by many respectable citizens of Calaveras County, urgently soliciting the pardon of the said Paidill; and whereas, the Board of Prison Directors have investigated his case, and a majority of said Board have recommended his pardon on the ground of there being grave doubts as to his guilt, and on the further ground of his having served more than three fourths of his term of imprisonment—now, therefore, let him be pardoned and restored to citizenship. February third, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Charles A. Brown.	Yolo.....	Manslaughter.....	March, 1867.....	Six years.

DECISION.—Whereas, the said Brown was recommended for pardon by the Board of Prison Directors to the Legislature at its eighteenth session—now, therefore, let him be pardoned and restored to citizenship. April sixth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Daniel O'Farrell...	Yuba	Arson	April, 1868	Two and a half years.

DECISION.—Whereas, the said O'Farrell was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its eighteenth session, which recommendation was indorsed by the Legislature—now, therefore, let him be pardoned and restored to citizenship. April sixth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
David Gordon.....	Solano.....	Manslaughter.....	May, 1886.....	Seven years.

DECISION.—Whereas, the said Gordon was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its eighteenth session, which report was indorsed by the Legislature—now, therefore, let him be pardoned and restored to citizenship. April sixth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
John O'Grady	San Francisco.	Grand Larceny.....	May, 1866.....	Seven years.

DECISION.—Whereas, the said O'Grady was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its eighteenth session, which report was indorsed by the Legislature—now, therefore, let him be pardoned and restored to citizenship. April sixth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Jasper Turner.....	Solano	Grand Larceny.....	September, 1868...	Three and a half years.

DECISION.—Whereas, the said Turner was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted—now, therefore, let him be pardoned and restored to citizenship. April fifteenth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Vicente Artago.....	S. Bernardino.	Assault to rape.....	July, 1862	Twelve years.

DECISION.—Whereas, the said Artago was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted—now, therefore, let him be pardoned and restored to citizenship. April fifteenth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Jesus Pizarro.....	Placer	Murder 2d degree.	July, 1862.....	Ten years.

DECISION.—Whereas, the said Pizarro was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted by the Legislature—now, therefore, let him be pardoned and restored to citizenship. April fifteenth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
William Daniels...	Nevada	Assault to murder.	September, 1868...	Four years.

DECISION.—Whereas, said Daniels was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted by the Legislature, now, therefore, let him be pardoned upon condition that the said Daniels leave the State within ten days, never to return. April nineteenth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
G. A. H. Bartlett...	San Francisco.	Grand larceny.....	July, 1869.....	One year.

DECISION.—Whereas, the said Bartlett was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted by the Legislature—now, therefore, let him be pardoned and restored to citizenship. May twenty-sixth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Joseph A. Oliver...	Merced	Murder 2d degree..	September, 1862...	Thirty years.

DECISION.—Whereas, the said Oliver was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted by the Legislature—now, therefore, let him be pardoned and restored to citizenship. May twenth-sixth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Bell Butler.....	Nevada.....	Assault to murder.	July, 1869.....	One year.

DECISION.—Whereas, the said Bell Butler was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted by the Legislature—now, therefore, let her be pardoned. May twenty-sixth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
John B. Reagan ...	Shasta.....	Manslaughter.....	June, 1867.....	Seven years.

DECISION.—Whereas, the said John B. Reagan was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted by the Legislature—now, therefore, let him be pardoned and restored to citizenship. May twenty-sixth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
W. A. Henderson..	Placer.....	Murder 2d degree..	May, 1865.....	Thirty years.

DECISION.—Whereas, the said Henderson was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted by the Legislature—now, therefore, let him be pardoned and restored to citizenship, on condition of leaving the State within thirty days, never to return. May twenty-sixth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
R. Roberts.....	Nevada	Robbery.....	March, 1863.....	Ten years.

DECISION.—Whereas, the said Roberts was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted by the Legislature—now, therefore, let him be pardoned and restored to citizenship. June first, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Richard Long.....	San Francisco.	Grand Larceny.....	September, 1868...	Two and one sixth years.

DECISION.—Whereas, the said Long was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted by the Legislature—now, therefore, let him be pardoned and restored to citizenship. June first, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
John Woods.....	Humboldt.....	Murder 2d degree..	September, 1866..	Ten years.

DECISION.—Whereas, said Woods was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted by the Legislature—now, therefore, let him be pardoned and restored to citizenship. June first, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Peter Burke.....	Mendocino	Rape.....	July, 1862.....	Twenty-five years

DECISION.—Whereas, the said Burke was recommended for pardon by the Board of State Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted by the Legislature—now, therefore, let him be pardoned and restored to citizenship. June third, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
James Marshall....	Nevada	Robbery.....	November, 1862...	Fourteen years.

DECISION.—Whereas, said Marshall was recommended for pardon by the Board of State Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted by the Legislature—now, therefore, let him be pardoned on condition of leaving the State within thirty days, failing which, this pardon to be of no effect. June third, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Joseph Dewell.....	Amador	Rape	January, 1863.....	Sixteen years.

DECISION.—Whereas, said Dewell was recommended for pardon by the Board of State Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted by the Legislature—now, therefore, let him be pardoned and restored to citizenship. June third, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Jesse McMahon.....	Sacramento....	Murder 2d degree.	September, 1863..	Ten years.

DECISION.—Whereas, said McMahon was recommended for pardon by the Board of State Prison Directors, in their report to the Legislature, which report was adopted by the Legislature—now, therefore, let him be pardoned and restored to citizenship. June third, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
William Burch.....	Los Angeles...	Rape.....	July, 1869.....	Two and one half years.

DECISION.—Whereas, said Burch was recommended for pardon by the Board of State Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted by the Legislature—now, therefore, let him be pardoned and restored to citizenship. June third, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
M. McDermot.....	San Francisco.	Manslaughter.....	December, 1864...	Ten years.

DECISION.—Whereas, said McDermot was recommended for pardon by the Board of State Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted by the Legislature—now, therefore, let him be pardoned and restored to citizenship. June third, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Herbert Barry.....	San Francisco.	Manslaughter.....	——, 1869.....	One year and a half.

DECISION.—Whereas, said Barry has been urgently recommended for pardon by the Judge before whom he was tried, and also by the District Attorney and other citizens, and his conduct in prison has been very exemplary; and whereas, he has served more than half of his term—now, therefore, let him be pardoned and restored to citizenship. October tenth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Philip Livingston.	San Joaquin...	Grand Larceny.....	November, 1869...	Two and one quarter years.

DECISION.—Whereas, said Livingston was extremely young when the offence was committed, and he has served about half the term for which he was sentenced; and whereas, his pardon has been recommended by the District Attorney of said county, and his conduct in prison has been good—now, therefore, let him be pardoned. October eighteenth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
G. H. S. Ross.....	Los Angeles...	Grand Larceny.....	September, 1862..	Ten years.

DECISION.—Whereas, his sentence was severe for the offence committed, and he has served about eight years of the term for which he was sentenced, and his conduct in prison has been good—now, therefore, let him be pardoned. October nineteenth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Librado Gonzales..	Los Angeles...	Murder 2d degree..	——, 1867	Fifteen years.....

DECISION.—Whereas, it appears from the certificate of the Resident Physician of the State Prison that the said Gonzales is in imminent danger of death from consumption—now, therefore, let him be pardoned. November second, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Wm. J. Nash.....	Mendocino.....	Assault with deadly weapon.....	——, 1870.....	One year.

DECISION.—Whereas, mitigating circumstances attended the commission of the offence, and in consideration of the dependent condition of his family—now, therefore, let him be pardoned. December twenty-first, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Wm. Thetherow...	Sonoma	Accessory to grand larceny.	January, 1870.....	Four years

DECISION.—Whereas, the Judge of the Court in which said Thetherow was tried, and the District Attorney of said county, have urgently recommended his pardon, and there being doubts as to his guilt—now, therefore, let him be pardoned. December thirtieth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Ah Yik.....	Sacramento....	Rape.....	July, 1865.....	Twenty years.

DECISION.—Whereas, said Ah Yik was recommended for pardon by the Board of State Prison Directors in their report to the Legislature at its eighteenth session, which report

was adopted, and it appearing from the statement of the physician who testified at the trial that there are doubts of his guilt, and he being already in prison five years—now, therefore, let him be pardoned, upon the express condition that he leaves the United States, never to return. December twenty-third, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Mrs. Kate Smith...	San Francisco.	Grand Larceny.....	January, 1870.....	Four and one third years.

DECISION.—Whereas, she has been recommended for pardon by the officers of the prison, and has already been imprisoned over one year, and the ends of justice will not be served by her further retention in prison; and whereas, she has a family of children solely depending upon her for support—now, therefore, let her be pardoned, upon condition of her leaving the State within thirty days, never to return. February sixteenth, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
S. A. Allen.....	Yolo.....	Grand Larceny.....	April, 1870	Two years.

DECISION.—Whereas, the said Allen has been recommended for pardon by the Hon. S. M. Bliss, the Judge who presided at the time of his trial, and also by Hon. James Johnson, the present County Judge of said county; and whereas, the said crime was committed whilst the said S. A. Allen was under the influence of intoxicating liquors—now, therefore, let him be pardoned and restored to citizen-ship. February eighteenth, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Mary Murray.....	San Francisco	Arson 2d degree ...	———, 1870.....	One year.

DECISION.—Whereas, said Mary Murray being quite young, and had been instigated to commit said crime by her mother, and has been recommended for pardon by the Judge of said Court and the District Attorney, the jury, county officers, insurance agents and underwriters—now, therefore, let her be pardoned. March second, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
John Lehmann.....	Tuolumne	Murder 2d Degree.	———, 1859.....	Fifteen years.

DECISION.—Whereas, said Lehmann was recommended for pardon by the Board of Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted; and whereas, he has nearly served out the full term for which he was imprisoned—now, therefore, let him be pardoned. March ninth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
William Tallay ...	San Joaquin...	Manslaughter.....	——, 1869.....	Three years.

DECISION.—Whereas, the said Tallay has nearly served out the full term for which he was sentenced, and his pardon has been recommended by the officers of the Prison, and also by the Judge who sentenced him, the District Attorney, and many citizens of said County—now, therefore, let him be pardoned. March twenty-seventh, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence.
Joseph Lawrence...	Nevada ...	Murder 2d degree..	December, 1867...	Ten years.

DECISION.—Whereas, in this case facts have been presented, some of which have come to light since the conviction, tending to extenuate if not to justify the crime; and a large number of leading and respectable citizens of Nevada County, including the Prosecuting Attorney, Dennis and Byers, have joined in an application for the pardon of said Lawrence, and his counsel has made a compromise, and he has been sentenced to a term in prison, and has been confined there three years, and has ceased to sustain a good character—now, therefore, let him be pardoned and restored to citizenship. May second, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Michael Gorman...	Sacramento....	Mayhem	November, 1870..	One year.

DECISION.—Whereas, a petition has been presented signed by the Judge who sentenced said Gorman, the District Attorney who prosecuted him, the Sheriff and other members of the jury who tried him, the county officers, and a large number of respectable citizens of Sacramento County, representing extenuating circumstances, and setting forth that he has a large family and has been a steady man and a good citizen—now, therefore, let him be pardoned and restored to citizenship. May second, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Frank Parker.....	San Joaquin...	Grand larceny and house breaking.	March, 1868.....	Eight years.

DECISION.—Whereas, an application has been made for the pardon of the said Parker, the said application being indorsed by the Judge of the Fifth Judicial District, and urged by the County Judge of San Joaquin County, and by the facts presented it is satisfactorily shown that the sentence is unjustifiably severe and that justice requires his release from confinement and restoration to citizenship—now, therefore, let him be pardoned and restored to citizenship. September twelfth, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
William C. Vandewater	Tulare	Grand Larceny	March, 1871	One year.

DECISION.—Whereas, said Vandewater's pardon has been recommended by the County Judge, the District Attorney, and all the county officers, in consideration of his extreme youth, being only sixteen years of age, and this being his first offence—now, therefore, let him be pardoned and restored to citizenship. September nineteenth, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Wm. H. Johnson	San Francisco.	Incest	———, 1866	Eight years.

DECISION.—Whereas, the County Judge who sentenced him and many other respectable citizens have solicited his pardon, and his health is failing and requires him to remain constantly in the hospital, and his punishment has already been sufficient in view of the peculiar circumstances of his case which have created doubts of his guilt in the minds of some—now, therefore, let him be pardoned and restored to citizenship. October sixteenth, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Ambrose Williams	Sierra	Manslaughter	November, 1866	Eight years.

DECISION.—Whereas, said Williams has been recommended for pardon by the Judge who sentenced and the District Attorney who prosecuted him, as well as by a number of respectable citizens of said county; and whereas, the killing was brought about by the insolent and overbearing manner of the man killed, who was beating Williams at the time, and the conduct of said Williams has been good—now, therefore, let him be pardoned and restored to citizenship. November second, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Cesney Parker	Sonoma	Robbery	January, 1870	Ten years.

DECISION.—Whereas, the County Judge and the County officers, the District Attorney, and several hundred citizens of Mendocino and Sonoma Counties have solicited his pardon on the ground of his extreme youth, previous good character, and various mitigating circumstances; and whereas, the Judge who sentenced him urges his pardon on the ground that the sentence was excessive and imposed with the intention of applying for its remission—now, therefore, let him be pardoned and restored to citizenship, on condition that he proceed home and reside with his parents, and be not convicted of any criminal offence during the next ensuing eight years. November sixth, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Lewis H. Warner..	S. Bernardino.	Manslaughter.....	——, 1870.....	Six years.

DECISION.—Whereas, a careful investigation of the facts connected with the offence satisfies me that much excuse, if not justification, exists for its commission, and that unfavorable circumstances attending the trial operated against the prisoner, and I am satisfied that the ends of justice in his case have been fully met, and his conduct in prison has been exemplary, and his pardon has been solicited by a large number of worthy and respectable citizens of San Bernardino County, and of Yolo, Sacramento, and San Francisco Counties—now, therefore, let him be pardoned and restored to citizenship. November seventh, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
H. H. McKenzie...	Shasta.....	Manslaughter.....	June, 1867.....	Ten years.

DECISION.—Whereas, Justice Sprague of the Supreme Court certifies to extenuating circumstances, palliating, if not entirely excusing the offence, which statement is concurred in by a number of leading and worthy citizens of Shasta County; and whereas, said McKenzie was recommended for pardon by the Legislature at its last session, and his conduct in prison has been good, and he has a helpless family—now, therefore, let him be pardoned. November seventh, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Charles Pratt.....	San Francisco.	Grand Larceny.....	November, 1867..	Five years.

DECISION.—Whereas, it appears that said Pratt, at the time of committing the alleged offence, was intoxicated and had no intention of committing a crime, and this fact is sworn to by the prosecuting witness, who asks for his pardon, and his health is impaired, and he has nearly served out his full term, and his conduct in prison has been exemplary—now, therefore, let him be pardoned and restored to citizenship. November seventh, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Tunma.....	Fresno	Murder 2d degree..	October, 1866.....	Ten years.

DECISION.—Whereas, Judge Deering, who sentenced him, certifies that there is extreme doubt of his guilt, and that he ought to be immediately released from confinement, and this request is urged by county officers and many respectable citizens of Fresno County—now, therefore, let him be pardoned. November seventh, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence.
F. E. Waller.....	Nevada	Murder 1st degree.	December, 1863...	Life.

DECISION.—Whereas, extenuating circumstances connected with the offence have been brought to my notice, and said Waller's pardon is desired by most of the respectable citizens of Nevada County, and he has been recommended for pardon by the Legislature of this State; and whereas, his conduct in prison has been exemplary and his health is seriously impaired by confinement—now, therefore, let him be pardoned and restored to citizenship. November seventh, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Henry Lanbeth.....	El Dorado.....	Assault to murder.	November, 1868...	Four years.

DECISION.—Whereas, the Judge who sentenced him, and the District Attorney who prosecuted him, and the county officers of El Dorado County, have requested his pardon on the ground of mitigating circumstances connected with the offence; and, whereas, his conduct in prison has been exemplary and he has been recommended for pardon by the Legislature—now, therefore, let him be pardoned and restored to citizenship. November seventh, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Andrew H. Merrill	Sacramento....	Manslaughter.....	——, 1864.....	Ten years.

DECISION.—Whereas, the Judge who sentenced him has requested his pardon, and many respectable citizens of Sacramento County have united in the request on the ground of extenuating circumstances; and whereas, his conduct in prison has been exemplary, and he has served out nearly all his term, and has been recommended by the Legislature; now, therefore, let him be pardoned and restored to citizenship. November seventh, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
James Mullen.....	Nevada	Robbery.....	May, 1871.....	Four years.

DECISION.—Whereas, at the time he committed said crime he had not attained the age of majority, and was under the influence of intoxicating liquor, so as not to be morally responsible for the act, and prior to the commission thereof his conduct and character had been good, and his pardon has been recommended by a large number of respectable citizens of Nevada County, on account of extenuating circumstances attending the commission of said crime, and in consideration of the fact that he is the sole support of aged and infirm parents—now, therefore, let him be pardoned and restored to citizenship, on condition that he abstain from all intoxicating liquors during the term for which he was sentenced, and that he shall not again be convicted of any criminal offence. November twentieth, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Henry Prother.....	San Francisco.	Grand larceny.....	October, 1870.....	Five years.

DECISION.—Whereas, the condition of his health is such that he may die at any time, as appears by the certificate of the Prison physician—now, therefore, let him be pardoned. November twenty-first, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Francisco Presiado	Monterey.....	Manslaughter.....	April, 1870,.....	Three years.

DECISION.—Whereas, his pardon has been recommended by the District Judge who sentenced and the Prosecuting Attorney who prosecuted him, and by a large number of respectable citizens of Monterey County, on the ground of extenuating circumstances—now, therefore, let him be pardoned and restored to citizenship. December first, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Terrence Smith	Nevada	Murder 2d degree..	December, 1863...	Life.

DECISION,—Whereas, he was recommended for pardon by the Prison Directors at the last session of the Legislature, which recommendation was indorsed by that body; and whereas, he has now been confined between eight and nine years, and his application for pardon is indorsed by the District Judge who sentenced him, by the foreman of the jury, and the county officers, and a large number of respectable citizens of Nevada County; and whereas, his reputation before his conviction was good, and his conduct in prison has been exemplary—now, therefore, let him be pardoned and restored to citizenship; future conviction of any criminal offence to render this pardon void. December first, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
George Cogan.....	San Francisco.	Burglary	January, 1870.....	Three years.

DECISION.—Whereas, his pardon is urged by the District Attorney of San Francisco, on the ground of important services rendered in the recovery of the stolen property, and assurances were given by the District Attorney and officers that Executive clemency would be solicited in his behalf; and whereas, he has served more than two thirds of his time—now, therefore, let him be pardoned and restored to citizenship; future conviction of any criminal offence to render this pardon void. December first, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
E. B. Foster.....	Mariposa	Murder 2d degree..	November, 1865..	Fifteen years.....

DECISION.—Whereas, the said Foster was recommended for pardon by the Prison Directors, which recommendation was indorsed by the Legislature at its last session; and whereas, his pardon is solicited by the Judge who sentenced him and by the county officers of Mariposa County, on the ground of youth, previous good character, and extenuating circumstances attending the offence; and whereas, his conduct in prison has been exemplary—now, therefore, let him be pardoned and restored; future conviction of any criminal offence to render this pardon void. December first, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
C. M. Clifton.....	Mariposa.....	Murder, 2d degree.	November, 1865..	Fifteen years.

DECISION.—Whereas, his pardon is recommended by the Judge who sentenced him, on the ground of doubt of his guilt, and also by the County Judge and county officers of Mariposa County, and a large number of worthy citizens of this State and Missouri; and whereas, he is suffering from organic disease, and has already been severely punished—now, therefore, let him be pardoned and restored to citizenship; future conviction of any criminal offence to render this pardon void. December first, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Hurlburt Vroman.	San Francisco.	Burglary	November, 1869..	Six years.

DECISION.—Whereas, his pardon has been solicited by most of the jury before whom he was tried, and doubts are entertained of the degree of his guilt, and the sentence was excessive; and whereas, he was young, and had borne a good character, and his conduct in prison has been exemplary—now, therefore, let him be pardoned on condition that he go to the home of his parents in the State of New York, there to reside during the term for which he was sentenced. December first, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
S. A. Carpenter.....	El Dorado.....	Manslaughter.....	May, 1870.....	Six years.

DECISION.—Whereas, the county officers of El Dorado County and other reliable citizens have represented to me that facts developed subsequently to the trial establish the innocence of the said Carpenter; now, therefore, let him be pardoned and restored to citizenship; future conviction of any criminal offence to render the pardon void. December first, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Michael Harrigan..	San Francisco.	Murder 1st degree..	February, 1861....	Life.

DECISION.—Whereas, he was recommended for pardon by the Prison Directors, which recommendation was indorsed by the Legislature at its last session; and, whereas, his pardon has been solicited by the Judge who sentenced him and by a large number of worthy citizens, who are cognizant of the facts of his case, on the ground of extenuating circumstances; and, whereas, he has been confined nearly eleven years, and is becoming advanced in life—now, therefore, let him be pardoned and restored to citizenship; this pardon to be void in case of conviction of any criminal offence in future. December first, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
George Vernon.....	Contra Costa..	Manslaughter.....	April, 1867	Ten years.

DECISION.—Whereas, a large number of worthy and respectable citizens of Contra Costa County presented a petition urging the pardon of said Vernon, on the ground that there are serious doubts of his guilt, and that in their opinion he ought not to have been convicted; and whereas, from an examination into the facts, these doubts seem to me well founded—now, therefore, let him be pardoned and restored to citizenship; future conviction for any criminal offence to render this pardon void. December second, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Henry H. Fuller...	San Joaquin...	Grand larceny.....	July, 1870.....	Two and one half years.

DECISION.—Whereas, the pardon of said Fuller has been recommended by the County Judge, District Attorney, and other respectable citizens, on the ground that he was innocent of any felonious intent; and whereas, he has served nearly two thirds of his term of service, and his conduct in prison has been exemplary—now, therefore, let him be pardoned and restored to citizenship. December second, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Russell Smithey....	Sonoma	Manslaughter.....	October, 1866.....	Sixteen years.

DECISION.—Whereas, the District Judge, District Attorney, and county officers of Sonoma County, and a large number of worthy and respectable citizens, have presented a petition praying for the pardon of the said Smithey; and whereas, he has now been confined in prison more than five years, and his conduct has been exemplary; and whereas, the facts attending the commission of the offence present grounds of mitigation—now, therefore, let him be pardoned and restored to citizenship; future conviction for any criminal offence to render this pardon void. December second, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Joseph Lacosta.....	San Francisco.	Assault with intent to murder	March, 1871.....	Five years.

DECISION.—Whereas, a large number of citizens of San Francisco, including the Judge who sentenced him, have urged the pardon of said Lacosta on the ground of mitigating circumstances connected with the offence; and whereas, his conduct in prison has been exemplary—now, therefore, let him be pardoned and restored to citizenship; future conviction for any criminal offence to render this pardon void. December second, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Eugene Tucker.....	San Francisco.	Manslaughter.....	May, 1868.....	Seven years.....

DECISION.—Whereas, the said Tucker's pardon has been strongly recommended by Judge E. D. Sawyer, who sentenced him; and whereas, his conduct in prison has been unusually meritorious and exemplary, and his pardon is recommended by the Prison officers and a large number of respectable citizens of San Francisco—now, therefore, let him be pardoned and restored to citizenship; future conviction for any criminal offence to render this pardon void. December second, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Henry Madison.....	El Dorado.....	Assault to commit robbery.	September, 1860...	Fourteen years.

DECISION.—Whereas, said Madison was recommended for pardon by the Board of State Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted; and whereas, his pardon has been urgently solicited by the Judge who sentenced him on the ground that the sentence was excessive—now, therefore, let him be pardoned and restored to citizenship; conviction for any criminal offence to render this pardon void. December second, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Jacob Stone.....	San Francisco.	Arson	March, 1870.....	Seven years.

DECISION.—Whereas, a petition has been presented by the Hebrew Benevolent Society and a large number of worthy citizens, setting forth that the said Stone was misled by ignorance and the influence of others to commit the offience; that he has already suffered severely, and that he has a large and helpless family; and also stating that means would be furnished to enable them to leave the State in the event of his pardon; and whereas, he is also recommended for pardon by the Judge who sentenced and the District Attorney who prosecuted him—now, therefore, let him be pardoned, upon condition that he leave the State within thirty days, never to return. December second, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
H. F. Nichol.....	Sierra	Manslaughter.....	July, 1867.....	Ten years.

DECISION.—Whereas, the said H. F. Nichol was recommended for pardon by the Board of State Prison Directors in their report to the Legislature at its eighteenth session, which report was adopted; and whereas, a petition setting forth mitigating circumstances has been presented, signed by a large number of respectable citizens of Sierra and San Francisco Counties; and whereas, the said Nichol is advanced in life, and his conduct in prison has been exemplary—now, therefore, let him be pardoned and restored to citizenship; future conviction for any criminal offence to render this pardon void. December second, eighteen hundred and seventy-one.

LIST OF PARDONS FROM COUNTY JAILS,

GRANTED BY GOVERNOR H. H. HAIGHT,

From March 24th, 1870, to ——— ——, 1871, *inclusive.*

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Jacob Meinlick.....	San Francisco.	Assault and battery.	September, 1869...	Three hundred days.

DECISION.—Whereas, a petition has been received, signed by many respectable citizens of San Francisco, urgently soliciting the pardon of the said Meinlick; and whereas, the District Attorney has joined in said petition, on the ground of the excessive character of the sentence, and on the further ground of the prisoner having sustained an injury during his incarceration, by which he may be permanently crippled—therefore let him be pardoned. March fourth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
James Quinlan.....	Solano, in Vallejo City.....	Assault and battery	June 4th, 1870...	150 days in County Jail.

DECISION.—Whereas, the County Judge and District Attorney of Solano County recommended the pardon of said Quinlan, on the ground that the sentence was excessive and that the prisoner was dangerously sick with consumption, as also appeared by a medical certificate accompanying the said recommendation—now, therefore, let him be pardoned. July twentieth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
H. C. Knowlton....	San Francisco.	Assault to murder.	September, 1870...	Ninety days in County Jail.

DECISION.—Whereas, the said Knowlton has been recommended for pardon by the Judge of the Municipal Criminal Court, in which he was tried and convicted, and by the District Attorney and other reputable citizens, and the term for which he was imprisoned being about to expire—now, therefore, let him be pardoned. November fifteenth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence.
Daniel W. Prouse.	Sonoma	Assault with deadly weapon.	——, 1870.....	500 days in County Jail or $1,000 fine.

DECISION.—Whereas, said Prouse is unable to pay the said fine of one thousand dollars, and has already been imprisoned about six months, and has been recommended for pardon by the County Judge, the District Attorney, and a great many respectable citizens of Sonoma County, upon the ground that he has already been sufficiently punished—now, therefore, let him be pardoned. January twenty-first, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
George K. Bolling.	San Francisco.	Assault and battery.....	December, 1871...	Three months in County Jail.

DECISION.—Whereas, said Bolling has a family depending upon him for support, and in the opinion of the Judge who sentenced him he has been sufficiently punished, he having served out nearly the whole term of his imprisonment—now, therefore, let him be pardoned. February twenty-fifth, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
James McClellan..	San Francisco.	Petit Larceny.....	October 25, 1870..	Six months in County Jail.

DECISION.—Whereas, said McClellan has been recommended for pardon by the Judge of the Court in which he was convicted, and also by many respectable citizens of said county, and this being his first offence, and was committed whilst unconscious from the influence of liquor—now, therefore, let him be pardoned. March first, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Robert Smith.....	Alameda	Assault with intent to do bodily injury	January, 1871	200 days in County Jail.

DECISION.—Whereas, a petition has been presented to me, signed by a large number of respectable citizens of Alameda County, setting forth extenuating circumstances in the case,

and certifying that he has a dependent family and has previously borne a good character, and from the facts of the case it seems that said Smith has been sufficiently punished, and the ends of justice would not be served by his continued imprisonment—now, therefore, let him be pardoned. May third, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
John Murphy.....	San Francisco.	Petit Larceny.....	April 14th, 1871...	6 months in County Jail.

DECISION.—Whereas, said Murphy is very young and has been led astray—now, therefore, upon the express condition that he proceed immediately upon his discharge from said jail to the Industrial School, and remain there until he is nineteen years of age, let him be pardoned; this pardon to be of no effect if the aforementioned condition is not complied with. May tenth, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
M. J. Dunn.....	Santa Clara....	Disturbing the public peace.....	April 24, 1871.....	Seventy-five days in County Jail.

DECISION.—Whereas, said Dunn is only seventeen years of age, and is suffering from sickness, and the Judge who sentenced him, as well as the District Attorney and other citizens, have requested immediate Executive clemency in consideration of said Dunn's health—now, therefore, let him be pardoned. June tenth, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Ah Wong.....	Sacramento....	Petit larceny	February 1, 1871.	60 days in County Jail and $20 fine.

DECISION.—Whereas, the Police Judge and City Attorney have recommended the pardon of the said Ah Wong, on the ground that circumstances have come to light which tend to establish his innocence—now, therefore, let him be pardoned. July sixth, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Pat. McClosky.....	San Francisco.	Assault and battery.....	May 12, 1871.....	100 days in County Jail or fine of $200.

DECISION.—Whereas, mitigating circumstances have become known since his conviction, and his pardon has been recommended by the Police Judge—now, therefore, let him be pardoned. July fifteenth, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
William Troy.....	San Francisco.	Assault with deadly weapon.....	January, 1871.....	$500 fine or imprisonment in County Jail one day for every $2

DECISION.—Whereas, said Troy's conduct and character preceding said assault were unexceptionable, and he has a large family dependent upon him for support, and his pardon has been requested by a number of respectable citizens; and from mitigating circumstances presented it appears evident that his punishment has been sufficient—now, therefore, let him be pardoned. October twenty-eighth, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Peter Cassidy.....	Solano	Assault and battery	April 14th, 1871...	Fined $500, and 250 days.

DECISION.—Whereas, the punishment of said Cassidy has already been sufficient, and the County Judge, county officers, and a very large number of leading and respectable citizens of Solano County have petitioned for his pardon on account of his helpless family and the severity of his sentence—now, therefore, let him be pardoned. November tenth, eighteen hundred and seventy-one.

COMMUTATIONS OF SENTENCE,

GRANTED BY GOVERNOR H. H. HAIGHT.

From January 24th, 1870, *to* 1871, *inclusive.*

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
William Dixon.....	Placer.....	Robbery.....	November, 1860..	Fifteen years.

DECISION.—Whereas, a petition has been presented signed by many prominent citizens of Placer County, and by the District Attorney who prosecuted him, representing that the sentence of the said Dixon was unusually severe and disproportionate to the offence committed, and recommending the commutation of his sentence to imprisonment for ten years in the State Prison; and whereas, the Board of Directors and officers of the State Prison certify to the good conduct of the said Dixon during his imprisonment; and whereas, it appears that the said Dixon was very young when he committed the crime, and it seems that the ends of justice would be fully vindicated by such said commutation—now, therefore, let his sentence be commuted to imprisonment in the State Prison for the term of ten years, without deduction in number of days (as authorized by Acts of April four, eighteen hundred and sixty-four and March thirty-first, eighteen hundred and sixty-eight) being made from the term of said imprisonment. January twenty-fourth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Sentence.
Phillip Dick.....	San Joaquin...	Murder 1st degree.	May 13th, 1868...	*Death.

DECISION.—Whereas, a memorial has been presented, signed by the Judge of the Court in which said Dick was convicted, and also by the Judge before whom the said Dick was tried, by the Judge of the County Court of said county, by a large number of the members of the bar of Stockton, and by many respectable citizens of the said county, setting forth that the evidence in the case was circumstantial, and that there were some reasons to doubt the justice of the conviction of said Dick—now, therefore, let his sentence be commuted to imprisonment in the State Prison for thirty years, his term of imprisonment to date from the day of his arrival at the Prison. July first, eighteen hundred and seventy.

*Sentenced to be executed July eighth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Sentence.
John Keller.....	Sacramento....	Murder 2d degree.	October, 1858.....	Imprisonment for life.

DECISION.—Whereas, said Keller was recommended for pardon by the Board of State Prison Directors, in their report to the Legislature at its eighteenth session, which report was adopted by the Legislature; and whereas, the conduct of said Keller during his imprisonment has been exemplary—now, therefore, let his sentence be commuted to imprisonment in the State Prison for twelve years, without discount of days. July twenty-ninth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
David Hughes	Shasta.....	Manslaughter	June, 1867.....	Imprisonment for seven years.

DECISION.—Whereas, a petition has been presented signed by a number of leading citizens of Shasta County, most of the county officers, and by the District Judge who presided at the trial, and by Associate Justice Sprague of the Supreme Court, setting forth certain facts in mitigation of the offence committed, and praying for his pardon and restoration to citizenship; and whereas, his conduct in prison has been good, and the ends of justice would be promoted by abbreviating his term of imprisonment—now, therefore, let his sentence be commuted to imprisonment in the State Prison for three and one half years, without discount for credit of days, and upon his release from prison let him be restored to citizenship. August fourth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
James Bowling.....	San Francisco.	Assault with deadly weapon.	——, 1869.....	One and a half years.

DECISION.—Whereas, the conduct of the said Bowling has been exemplary during the time of his imprisonment, and the commutation of his sentence has been recommended by the Warden of the State Prison—now, therefore, let his sentence be commuted to imprisonment in the State Prison for sixteen months. December thirtieth, eighteen hundred and seventy.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Jacob Greer.....	Butte.....	Murder	——, 1863.....	Life.

DECISION.—Whereas, the character of said Greer prior to the commission of the aforesaid crime was good, and has been unexceptionable since his imprisonment; and whereas, the crime was committed whilst Greer was intoxicated, and his pardon has been requested by a large number of respectable and reliable citizens—now, therefore, let his sentence be commuted to imprisonment in State Prison for ten years, without discount of days. March ninth, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
Lewis J. Dreibelbis	Sierra	Robbery	September, 1865..	Twelve years.

DECISION.—Whereas, said Dreibelbis is advanced in years, and has made himself useful in prison by industry and exemplary conduct; and whereas, he pleaded guilty at his trial, and had previously made a confession of the facts under the promise that his punishment should be light; and whereas, he has served more than five and a half years in prison, and his pardon has been requested by the attorney who prosecuted him—now, therefore, let his sentence be commuted to imprisonment for six full years, without discount for credit of days. April third, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Sentence.
Jas. F. Renfro.....	Sonoma	Murder 1st degree.	——, 1871.....	*†Death.

DECISION.—Whereas, a petition has been presented, signed by six hundred citizens of said county, representing that the evidence upon which said Renfro was found guilty was wholly circumstantial and of such a character as to leave in the minds of the subscribers serious doubts as to his guilt, and asking that his sentence be commuted to imprisonment in the State Prison; and, after an examination of the testimony in the case, furnished by the Judge of said Court, it appearing that the facts testified to by the witnesses are not so conclusive as to justify the infliction of the extreme penalty of the law—now, therefore, in order that said Renfro may not be beyond the reach of Executive clemency if facts should hereafter come to light showing his innocence, let his sentence be commuted to imprisonment in the State Prison for the term of his natural life. May ninth, eighteen hundred and seventy-one.

* Sentenced to be hanged April twenty-first, eighteen hundred and seventy-one.
† Respited until May twelfth, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
M. Stoll.....	San Joaquin...	Arson	March, 1871.....	Three and a half years.

DECISION.—Whereas, extenuating circumstances are alleged in his favor, and his pardon has been solicited by a large number of leading citizens of Stockton, including the Mayor and the Agent of the Underwriters—now, therefore, let his sentence be commuted to imprisonment in the State Prison twelve months from the day of his arrival at the Prison, without discount for credit of days; future conviction of any criminal offence to render this commutation void. December first, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Term of Sentence
P. R. Rodgers.....	San Francisco.	Assault with intent to murder.	September, 1871..	Eighteen months.

DECISION.—Whereas, the pardon of said Rodgers has been solicited by a considerable number of worthy citizens of San Francisco, on the ground of mitigating circumstances connected with the offence; and whereas, his previous character has been unexceptionable and his conduct in prison exemplary—now, therefore, let his sentence be commuted to imprisonment for six months; future conviction for any criminal offence to render this commutation void. December second, eighteen hundred and seventy-one.

REPRIEVES OF SENTENCE,

GRANTED BY GOVERNOR H. H. HAIGHT,

From

Name of Prisoner.	County.	Crime.	Date of Sentence.	Sentence.
J. F. Renfro.....	Sonoma	Murder 1st degree.	——, 1871.....	*Death.

DECISION.—Whereas, the application for commutation of sentence is supported by petitions numerously signed by respectable citizens of said county, alleging that there is doubt of his guilt, and that the evidence in his case was wholly circumstantial and not conclusive; and whereas, the testimony furnished is voluminous, and the petitions have arrived too late to allow time for a careful examination of them—now, therefore, in order to allow time for investigation as to the facts of the case, let a reprieve and postponement of said sentence be granted until Friday, May twelfth, eighteen hundred and seventy-one, on which day between the hours of six A. M. and six P. M. the aforementioned sentence shall be carried into effect, unless in the meantime it is otherwise ordered. April eighteenth, eighteen hundred and seventy-one.

* Sentenced to be hanged April twenty-first, eighteen hundred and seventy-one.

Name of Prisoner.	County.	Crime.	Date of Sentence.	Sentence.
Ramon Amador....	Alameda.....	Murder first degree	——, 1871.....	* Death.

DECISION.—Whereas, a petition for the commutation of said sentence has been presented, signed by the Sheriff of said county and others—now, therefore, for the purpose of allowing time for examining into the facts presented as a reason for a commutation—now, therefore, a reprieve is granted to said Amador until Friday, September twenty-second, eighteen hundred and seventy-one, on which day the sentence be then carried into effect, unless in the meantime the commutation be granted as prayed for. August twenty-sixth, eighteen hundred and seventy-one.

* Sentenced to be executed August thirty-first, eighteen hundred and seventy-one.

Name of Prisoners.	County.	Crime.	Date of Sentence.	Sentence.
Gaud'e Valencia, Franc'o Valencia	Solano	Murder	September, 1871.	Death.

DECISION.—Whereas, at the recent September term of the District Court of the Seventh Judicial District, held in and for the County of Solano, one Francisco Valencia and Guadalupe Valencia were convicted of the crime of murder, and sentenced to be executed on Friday, the twenty-fourth day of November, instant; and whereas, they desire time granted to allow them an opportunity of taking an appeal to the Supreme Court of this State from the judgment of said District Court—now, therefore, by virtue of the power in me vested under the Constitution and laws of this State, I do hereby grant a reprieve to said Francisco Valencia and Guadalupe Valencia until Friday, the fifteenth day of December, A. D. eighteen hundred and seventy-one, to which day the execution of said sentence is hereby postponed, and on said last named day the sentence of said Court will be carried into execution, between the hours of nine A. M. and four P. M., unless otherwise ordered in the meantime.

{L. S.} In witness whereof I have hereunto set my hand and affixed the great seal of State at Sacramento this seventeenth day of November, eighteen hundred and seventy-one.

H. H. HAIGHT.

RESTORATIONS TO CITIZENSHIP

BY GOVERNOR H. H. HAIGHT,

From March 11th, 1870, to 1871, *inclusive.*

The following persons, for reason of their good conduct since their release from prison, and representations having been made which induced the belief that they were proper subjects for restoration to citizenship, have been restored to all the rights and privileges to which they were entitled before their several convictions and imprisonment—at the several times below mentioned:

Name of Person Restored.	County.	Crime.	Date of Sentence.	Term of Sentence.	When Restored.
John Turner	San Francisco	Grand larceny	August, 1856	One year	March 11th, 1870.
Frank Sweeny	Alameda	Burglary	April, 1869	One year	May 31st, 1870.
William Burns	San Francisco	Grand larceny	January, 1868	Two years	July 29th, 1870.
William H. Brooks	Yuba	Assault to murder	——, 1858	One year	August 5th, 1870.
James Mulqueen	San Francisco	Grand larceny	October, 1855	Two years	September 6th, 1870.
Samuel Held	Sacramento	Grand larceny	October, 1855	Seven years	October 26th, 1870.
Isaac Hawley	San Bernardino	Grand larceny	——, 1861	Two years	January 5th, 1871.
James Bowling	San Francisco	Assault with deadly weapon	——, 1869	One and a half years	January 17th, 1871.
A. J. Drury	Butte	Grand larceny	——, 1867	Three years	February 10th, 1871.
Peter Murray	San Francisco	Grand larceny	November, 1864	Three years	April 19th, 1871.
Francisco Soto	Santa Clara	Grand larceny	October, 1863	One and a half years	May 23d, 1871.
Charles Wells	Santa Clara	Grand larceny	August, 1869	One year	July 5th, 1871.
William Coombs	Nevada	Assault to murder	May, 1864	Two years	July 24th, 1871.
Charles McCarthy	Tuolumne	Manslaughter	——, 1865	Two years	July 29th, 1871.
Josiah Jackson	Butte	Burglary	April, 1861	One year	August 14th, 1871.
Samuel Cohen	Sacramento	Grand larceny	April, 1866	One and a half years	August 30th, 1871.
Andrew M. Jackson	San Francisco	Mayhem	September, 1866	Five years	September 8th, 1871.
Henry A. Murray	Yuba	Forgery	September, 1860	One year	Sept. 20th, 1871.
Michael Bodie	Santa Clara	Manslaughter	September, 1868	Five years	October 4th, 1871.

On motion, the above message was laid on the table.

MESSAGES FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, December, 1871.

To the Senate of the State of California:

I herewith transmit to your honorable body, in accordance with law, a number of claims which the Board of Examiners have allowed, and the vouchers for which are in their office awaiting an appropriation before being transmitted to the Controller.

All of these claims, with the exception of one, are for official printing and advertising; but the regular appropriation being exhausted, it will be necessary for the Legislature to make an appropriation for their payment.

There being but one copy of the claims, I respectfully ask that the Assembly be informed of their receipt.

H. H. HAIGHT,
Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, December, 1871.

To the Senate of the State of California:

In accordance with the provisions of an Act entitled "An Act to provide for the liquidation of all claims against the State not otherwise provided for by law," approved April first, eighteen hundred and seventy, I hereby transmit to your honorable body the report of the Board of Examiners, showing the various claims recommended for payment and those recommended for rejection, in accordance with the provisions of said Act.

H. H. HAIGHT,
Governor.

OFFICE BOARD OF EXAMINERS,
Sacramento, November 4th, 1871.

To the Senate of the State of California:

In accordance with the provisions of an Act entitled "An Act to provide for the liquidation of all claims against the State not otherwise provided for by law," approved April first, eighteen hundred and seventy, we have the honor to submit the following report:

The following claims were laid before the Board, an abstract of which was published as provided for by the statute:

Legrand Lockwood, for bond number two hundred and thirty, issued May sixteenth, eighteen hundred and fifty-five, with accrued interest	8972 50
Samuel Scott, for Indian War Bond, with coupon attached, and Treasurer's certificate	417 00
Thomas Scott, for coupons of Indian War Bonds and certificates of indebtedness	1,600 00
Henry Kohn, for loss sustained by purchasing, in eighteen hundred and sixty-five, forged Soldiers' Relief and Bounty Claims	8,905 04
E. W. Morse, administrator of the estate of William H. Moon, deceased, for Indian War Bonds, with coupons attached	315 92
James T. Boyd, for professional services rendered Directors of the Institute for the Deaf, Dumb, and Blind	251 50
J. P. Dameron, for coupons of Indian War Bonds and certificates of indebtedness	640 00
James T. Ryan, for services as War Debt Commissioner	3,000 00
C. H. Reynolds, for coupons of Indian War Bonds and certificates of indebtedness	960 00
James W. Shanklin and John Mullan, for professional services rendered the State in swamp land cases, for amount to be determined by the Board.	
John Mullan, for professional services rendered the State in swamp land cases	2,000 00
Milton S. Latham, for coupons of Indian War Bonds and certificates of indebtedness	45,566 00
A. D. Bayles, on behalf of citizens of Trinity and Humboldt Counties, for expense incurred in fitting out expeditions against Indians	2,000 00
John I. Meeredy, for loss sustained on contract to perform certain work upon the Asylum building for the Deaf, Dumb, and Blind, for amount to be determined by Board.	
J. S. Emery, for loss sustained on contract for mason work of Asylum building for the Deaf, Dumb, and Blind	28,580 60
Isidor Wormser, for Indian War Bonds, with coupons attached, and for three Controller's warrants, issued December first, eighteen hundred and fifty-six	768 84
C. H. Reynolds, agent of Edward Dodge, for coupons of Indian War Bonds and certificates of indebtedness (coupons and certificates not accompanying claim)	21,233 50
C. H. Reynolds, agent of L. C. Clark, for coupons of Indian War Bonds and certificates of indebtedness (coupons and certificates not accompanying claim)	7,913 69
C. H. Reynolds, agent of Jay Cooke & Co., for Indian War Bonds, with coupons attached	6,059 12
C. H. Reynolds, agent of William Hoge, for coupons of Indian War Bonds (coupons not accompanying claim)	5,120 00
C. H. Reynolds, agent of Clark, Dodge & Co., for Indian War Bonds, with coupons attached (bonds not accompanying claim)	441 36
H. C. Rolfe, for Indian War Bond of eighteen hundred and fifty-seven	22 37

Of the foregoing claims, we beg leave to report favorably upon the following, and recommend that appropriations be made for their payment:

Claim of Legrand Lockwood, for amount claimed..... $972 50

It appears that the bond which constitutes the basis of this claim was sent from New York to the Treasurer's office to be funded under the Act of eighteen hundred and fifty seven, and that it was returned, with the information that the new issue was exhausted. The record in the Treasurer's office discloses the fact that there were two bonds for five hundred dollars, number two hundred and thirty, and that one of them only was funded under the Act of eighteen hundred and fifty seven. The only doubt as to the validity of the claim was created by their being certain marks upon the face of the bond which gave some appearance of its having been funded; but as there is no evidence that such was the case, we consider the claim a valid one.

Claim of Henry Kohn, for eighty per cent of principal claimed and six years interest thereon..... $7,284 02

We recommend the payment of this claim, upon the ground that the claimant purchased the forged claims in good faith, at an average price of eighty cents on the dollar, upon the representation, faith, and credit of the genuine certificates of the Adjutant General of the State, and that the powers of attorney to receive the money from the State were delivered to him by the chief clerk of the Adjutant General's office. No one questions that the then Adjutant General of the State was innocent of the fraud perpetrated in his office, but it seems no more than strict justice that the State should reimburse those of her citizens who were led to invest their money upon the faith of the genuineness of his signature. The business of buying and selling these claims seems to have been conducted in this wise: When there was no money in the Soldiers' Bounty and Soldiers' Relief Funds, the soldiers sold their claims and gave the purchaser their power of attorney to receive the money from the State; but when the soldier was at a distance, not being able to attend to the matter in person, he transacted the business through the medium of the Adjutant General's office by sending to that office his power of attorney, they selling his claim for him and delivering to the purchaser the power of attorney. A number of fraudulent claims were concocted by Gelston, chief clerk of the Adjutant General's office, who attached to them similarly fraudulent powers of attorney, and it was such claims as these, certified in the usual way by the Adjutant General to be correct, that the claimant bought, and for which he solicits reimbursement. We think he is entitled to the amount actually expended upon such claims, together with interest at the rate of ten per cent per annum.

Claim of James T. Boyd, for amount claimed..... $251 50

This claim is for professional services rendered the Commissioners of the Deaf, Dumb, and Blind Institute during the year eighteen hundred and sixty-eight. It appears that these Commissioners were empowered, by Act of the Legislature, to sell the Institute property in San Francisco, which sale was effected in November, eighteen hundred and sixty-seven. But the attorneys of the purchasers objecting to the title and refusing to

complete the purchase on that ground, it became necessary to employ counsel for the purpose of having the defect in the title cured. This was effected by the claimant, but the terms of the Commissioners expired without any arrangement having been made by them for his payment, and no part of his claim has as yet been paid. We therefore recommend its payment.

Claim of James T. Ryan for..... $2,000 00

This is a claim for services rendered the State as War Debt Commissioner. It appears that claimant was appointed on the ninth day of January, eighteen hundred and sixty-two, a Commissioner of the War Debt, in place of J. W. Denver, resigned; and that the amount appropriated by the Legislature (nine thousand dollars) having all been exhausted by the Commissioners and their clerk before his appointment, he was left without remuneration for his services. As the claimant has furnished evidence that he performed the duties of the office, and as the State has made no remuneration therefore, we recommend the payment to him of two thousand dollars, one thousand dollars being deducted on account of services performed by his predecessor.

Claim of Isidor Wormser for three Controller's warrants..... $300 00

It appears that these warrants, numbers seven hundred and eighty-two, seven hundred and eighty-three, and seven hundred and eighty five, respectively, were drawn on the Capitol Fund, December first, eighteen hundred and fifty-six, when there was no money in that Fund, and that before the replenishment of the Fund the whole State debt was declared to be unconstitutional. It further appears that these warrants were mislaid at the time the State was funding her debt under the Act of eighteen hundred and fifty-seven, and could not be presented until it was too late to take advantage of the Act. We think these warrants are valid claims against the State and should be paid.

Claim of John I. Mecredy for.....$25,000 00

We recommend the payment of this claim, to the amount of twenty-five thousand dollars, upon the following grounds:

It appears that the claimant made a contract in August, eighteen hundred and sixty-seven, with the Commissioners for the erection of the Institute building for the Deaf, Dumb, and Blind, to do the whole of the carpenters' and joiners' work, plasterers' work, painters' and glaziers' work, plumbers', gas fitters' and bell hangers' work, and tinsmiths' work, and deliver the same to the Commissioners free of all liens and charges. Subsequently to the execution of this contract, the materials for the walls were changed and various alterations made in the mode of construction, for none of which the claimant was responsible, and by means of which he sustained considerable loss. Further losses were sustained by the increase in the expense of hauling, on account of the sub-contractors for this work abandoning their contract; by the injury or destruction of materials deposited on the ground under the supposition that the work would proceed according to the original contract; by the extra expense of laying floors, etc., caused by the alterations in the masonry of the building, and the rapid rise in the price of lumber and other materials which took place immediately subsequent to the time when the claimant would have completed his contract, had there been

no delays caused by alterations in the original plan. Besides, the claimant made his estimates upon the basis of ten hours for a day's work, so that by the enactment of the eight-hour law he sustained great loss. Had there been no such delays as have been mentioned, the claimant would not have been affected by the new law for more than a month; as it was, he was affected by it for more than a year and a half. It appearing that the claimant is indebted to a number of his sub-contractors and material men, we recommend that an appropriation, not exceeding twenty-five thousand dollars, be made to the Directors of the Deaf, Dumb, and Blind Institute, and that they be required to disburse the same in the order and manner following:

First—Such amounts to those sub-contractors and material men specified in claimant's memorial as are found to have equitable claims against him for work performed or materials furnished in the construction of the Institute building.

Second—Such amounts to the claimant as the Directors deem to be equitably due him.

Third—The surplus, if any, to be expended by the Directors in the support of the Institute under their charge.

We recommend the rejection of the following claims:

Claim of James W. Shanklin and John Mullen, for amount to be determined by Board.

This claim is made for services alleged to have been rendered the State in swamp land cases before the United States Surveyor General, Commissioner of the General Land Office, Secretary of the Interior, and Attorney General, under the fourth section of the Act of Congress of July twenty-third, eighteen hundred and sixty six. We do not consider this claim a valid one, for the reason that the claimants were not authorized, by any one competent to make such employment, to perform the services alleged to have been rendered. The claimants, acting without competent authority, and rather in the interests of their private clients than in that of the State, we cannot consider their claim a valid one.

Claim of John Mullan for..... $2,000 00

This claim is similar to the one last mentioned, and we therefore recommend its rejection.

Claim of A. D. Bayles, on behalf of citizens of Humboldt and Trinity Counties, for.....$2,000 00

This claim is made for expenses incurred in fitting out expeditions against the Indians. As these expeditions were purely voluntary and undertaken without competent authority, the State is neither legally nor equitably bound for reimbursement.

Claim of J. S. Emery, for loss sustained on contract to do the mason work for the Deaf, Dumb, and Blind Institute, for....$28,580 69

We recommend the rejection of this claim, for the reason that no evidence whatever has been laid before us that would tend to prove that anything is due the claimant, either in law or equity.

This disposes of all the claims that were submitted to the Board, with the exception of claims for payment of Indian War Bonds, coupons of such bonds, known as "detached coupons," and certificates of indebtedness issued by the Board of War Debt Commissioners. In regard to these, we beg leave to state that we had neither the time nor the facilities which would enable us to arrive at any definite conclusion as to what were or were not valid claims against the State. At the same time, it would seem to be an imperative duty to institute a thorough investigation of this class of claims, and make provision for the payment of such as have validity. It is certainly time that this business should be finally settled and payment made to those to whom the State has obligated herself. Had all the claims of this class now outstanding been presented to the Board, we would have made an effort to finally settle them all; but as this was not the case, our settlement would, at best, have been but partial, and, even as to the claims acted upon, highly unsatisfactory, because the matter demands more investigation than it is possible for us to give it.

As to the War Bonds of eighteen hundred and fifty-seven, there can be no doubt that the State never obligated herself to pay them, and that none of them at present unredeemed are valid claims against her. The Act which provided for their issue stated distinctly that they were to be paid out of moneys appropriated by the United States, and the bond itself did likewise. Congress appropriated, by Act of eighteen hundred and fifty-nine, four hundred thousand dollars for the payment of this class of claims, and it would seem by the report of Commissioner Smith of date July twenty-seventh, eighteen hundred and sixty-two, that provision had been made for the liquidation of such as were valid. At all events, the State is neither legally or equitably bound to pay any that may be outstanding. There is but one bond of eighteen hundred and fifty-seven submitted to us, and that was for the trifling amount of twenty-two dollars.

In regard to the twelve per cent War Bonds of eighteen hundred and fifty one, and seven per cent War Bonds of eighteen hundred and fifty-two, the State expressly bound herself to pay them, in case the United States Government did not. In August, eighteen hundred and fifty-four, Congress made an appropriation for this purpose, to the amount of nine hundred and twenty-four thousand two hundred and fifty nine dollars and sixty-five cents, which was supplemented two years subsequently by an Act which provided that only such expenses should be paid which had been incurred prior to January first, eighteen hundred and fifty-four; and that before any bond should be redeemed by the Secretary of War, it should be indorsed as correct by the War Debt Commissioners of the State. These Commissioners indorsed as correct the bonds, with interest up to January first, eighteen hundred and fifty-four; and to the holders of the twelve per cent bonds, the coupons of which fell due in September and March, they gave a certificate of indebtedness for the interest from January first, eighteen hundred and fifty-four, to March first, eighteen hundred and fifty-four, as it was necessary to detach this March coupon. The coupons, the interest on which fell due between January first, eighteen hundred and fifty-four, and September first, eighteen hundred and fifty-six, were detached and surrendered to the holders of the bonds, who claim them to be valid obligations of the State. The total amount of these coupons is no less than one hundred and seventy-two thousand eight hundred and sixty-eight dollars and fifty-four cents, none of which, so far as we know, have ever been paid. Many of the

coupons must have been lost or destroyed during the long period of time since they were detached, but it is safe to say that at least two thirds of them are still in private hands.

As to the amount of War Bonds now outstanding, it is impossible for us to accurately ascertain. Quite a large amount was issued after eighteen hundred and fifty-four, under the Act of eighteen hundred and fifty-two, many of which must be still unredeemed. A register of all of these bonds is in the Treasurer's office, together with a register of such as have been redeemed. But it has been found, on examination, that these redemption registers are far from being accurate or complete. For instance: the redemption register of the bonds of eighteen hundred and fifty-one shows that twenty-three thousand dollars of them are still unredeemed, while the fact would seem to be, as stated in Adjutant General Kibbe's report of March twenty-sixth, eighteen hundred and sixty-two, that only three thousand dollars of these bonds are outstanding, and these, he supposes, were lost or destroyed, as they had not been presented to the War Debt Commissioners for payment by the General Government. And so far as the new issue of eighteen hundred and fifty-two is concerned—that is, bonds issued under the Act of eighteen hundred and fifty-two, after January first, eighteen hundred and fifty-four, we have been unable to find, either in the Controller's or Treasurer's office, any redemption register for them at all. And yet many of these bonds were paid by the United States, and they constitute nearly the sum total of the Indian War Bonds now in private hands that can be considered valid claims against the State.

In view of the foreging facts, we beg leave to recommend that some competent person be appointed whose business it shall be to make a thorough investigation of this class of claims and ascertain what amount of them is outstanding and unpaid. He should also be empowered to ascertain from the records in the office of the Secretary of War what bonds have been canceled by him, and to seek such other matter there as is pertinent to his inquiry; and the War Bond registers and redemption registers in the office of the State Treasurer should be so corrected as to correspond with the facts as found. It would be well to empower such Commissioner to make his report to the Governor within ninety days after his appointment and qualification, and upon such report to authorize the Board of Examiners to audit and allow those claims for which, in their judgment, the State is legally or equitably bound—payment to be made out of any moneys in the General Fund not otherwise appropriated.

The claims, together with accompanying vouchers and evidence, are on file in our office, and can be inspected at any time, or will be transmitted to your honorable body if you so desire.

H. H. HAIGHT, Governor,
H. L. NICHOLS, Secretary of State,
JO HAMILTON, Attorney General,
Board of Examiners.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, December, 1871.

To the Senate of the State of California:

I have the honor to inform your honorable body that since the adjourn-

ment of the eighteenth session of the Legislature I have appointed the following officers, and respectfully ask that their appointment be confirmed:

November fourteenth, eighteen hundred and seventy—R. Augustus Thompson, Reporter of the Supreme Court, vice Crittenden, deceased.

July seventh, eighteen hundred and seventy-one—J. W. Mandeville, Commissioner of Immigration, vice Snell, resigned.

August nineteenth, eighteen hundred and seventy—Henry A. Cobb, Major General of the National Guard, vice Allen, term expired.

August nineteenth, eighteen hundred and seventy, John M. Baldwin, Brigadier General First Brigade of National Guard, vice Banning, term expired.

October twentieth, eighteen hundred and seventy-one—John Hewston, Jr., Brigadier General Second Brigade of National Guard, vice self, term expired.

November twenty-fourth, eighteen hundred and seventy-one—Josiah Howell, Brigadier General Fourth Brigade of National Guard, vice self, term expired.

November twenty-fourth, eighteen hundred and seventy one—William A. Davies, Brigadier General Third Brigade of National Guard, vice self, term expired.

November twenty-second, eighteen hundred and seventy—Thomas N. Cazneau, Adjutant General, vice Allen, removed.

January seventeenth, eighteen hundred and seventy-one—George Johnson, Pilot for port of San Diego, vice Heustis, removed.

January seventeenth, eighteen hundred and seventy-one—Henry C. Johnson, Pilot for port of San Diego, vice Miller, removed.

March twenty-fifth, eighteen hundred and seventy-one—P. P. Martin, Pilot for port of San Diego.

February third, eighteen hundred and seventy-one—William Corcoran, Inspector of Stamps, vice Cazneau, resigned.

March third, eighteen hundred and seventy-one—W. H. Bell, Inspector of Stamps, vice self, term expired.

November twenty-ninth, eighteen hundred and seventy-one—J. West Martin, Regent State University, vice Watt, resigned.

H. H. HAIGHT,
Governor.

On motion of Mr. Botge, the Governor's message transmitting appointments was made the special order for this day at three o'clock P. M.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, December, 1871.

To the Senate of the State of California:

I herewith transmit to your honorable body a statement of the amounts expended out of the appropriation for Special Contingent Fund of the Governor's office:

Appropriation for twenty-first fiscal year	$2,500 00
Amount expended by me	494 50
Appropriation for twenty second fiscal year	2,500 00
Amount expended by me	2,496 50
Appropriation for twenty-third fiscal year	2,500 00
Amount expended by me	1,045 00

H. H. HAIGHT,
Governor.

RESOLUTION.

By Mr. Irwin:

Resolved, That the compensation this day allowed the officers and attaches of the last Senate for services rendered during the temporary organization of the present Senate be paid out of the Contingent Fund of the Senate, and that the Controller be and he is hereby directed to draw warrants on said Fund for the several amounts so allowed.

Adopted.

At twelve o'clock and fifteen minutes P. M. the Senate proceeded to meet the Assembly in Joint Convention for the purpose of canvassing the vote for Governor and Lieutenant Governor.

IN JOINT CONVENTION.

Proceeding of Joint Convention to canvass the returns of the election for Governor and Lieutenant Governor.

The Joint Convention was called to order by J. T. Farley, President pro tem of the Senate, and T. B. Shannon, Speaker of the House.

The roll of the Senate and that of the House were called and the following Senators and Assemblymen were present:

SENATE ROLL CALL—Messrs. Andross, Banvard, Beck, Betge, Boggs, Boucher, Comte, Crane, De Haven, Duffy, Dyer, Evans, Farley, Finney, Fowler, Garratt, Goodale, Gwin, Hutchings, Irwin, Kent, Keys, Larkin, Maclay, Minis, McMurry, McCoy, McKusick, Neff, Oulton, O'Connor, Pendegast, Perkins, Tompkins, Turner, Tuttle, Wand, Wilson, and Wing.

ASSEMBLY ROLL CALL—Messrs. Aldrich, Andrews, Bacon, Baird, Barker, Barklage, Barnes, Bayley, Bell, Berry, Bradley, Bockius, Brown, Burckhalter, Caldwell, Center, Chalmers, Coleman, Connolly, Cooper, Crane, Dannais, Days, De Haven, Eagan, Edgar, Ellis, Everett, Franck, Freeman, French, Galloway, Gibson, Goodall, Gray, Harvey, Hayes, Henshaw, Hopper, James, Johnston, Jost, Lee, Little, Lorton, Long, Luttrell, Mathers, Meeker, Mott, of Los Angeles, Mott, of Sacramento, Munday, McCullough, Pardee, Rector, Reed, Rice, Russ, Sammons, Sargent, of Santa Clara, Sargent, of San Joaquin, Schrack, Seibe, Sensabaugh, Slaughter, Spencer, Splivalo, Stillwagon, Timin, Turner, Ward, Welty, Wheaton, Whiting, Whitney, Wilcox, Woodward, Wright, and Mr. Speaker.

The President pro tem of the Senate appointed as Tellers on the part of the Senate, Messrs. Finney and McMurry.

The Speaker of the Assembly appointed as Tellers on the part of the Assembly, Messrs. Spencer and Aldrich.

At twelve o'clock and forty five minutes P. M., on motion of Mr. Keys, the Convention took a recess for fifteen minutes.

REASSEMBLED.

The Convention reassembled at one o'clock and fifteen minutes P. M. President pro tem of the Senate and Speaker of the Assembly presiding.

Roll of Senators called and quorum present.

Roll of Assemblymen called and quorum present.

REPORT.

By Mr. Finney:

Mr. PRESIDENT—The Tellers appointed by the Convention report the number of votes cast for Governor and Lieutenant Governor as follows:

FOR GOVERNOR.

Newton Booth	61,819
Henry H. Haight	56,800
Whole number of votes cast for Governor	118,619

FOR LIEUTENANT GOVERNOR.

R. Pacheco	61,700
E. J. Lewis	56,779
Whole number of votes cast for Lieutenant Governor	118,479

S. J. FINNEY,
For Tellers.

The Speaker thereupon declared that Newton Booth was duly elected Governor of the State of California for the ensuing four years, and that Romualdo Pacheco was duly elected Lieutenant Governor of the State of California for the ensuing four years.

Minutes of Joint Convention read and approved.

At one o'clock and thirty-five minutes P. M., on motion of Mr. McMurry, the Convention adjourned.

IN SENATE.

The Senate reassembled at one o'clock and thirty-seven minutes P. M. President pro tem in the chair.

Roll called.

Quorum present.

REPORT.

By Mr. Pendegast:

Mr. PRESIDENT: The joint committee appointed to wait on the Governor and Lieutenant Governor elect has performed its duty, and begs leave to report that the hour of twelve o'clock, noon, of to-morrow (Friday, December eighth), is the time designated by those gentlemen for the ceremonies of inauguration.

PENDEGAST,
EVANS,
GWIN,
Senate Committee.

HARVEY,
McCULLOUGH,
COOPER,
Assembly Committee.

At one o'clock and forty-five minutes P. M. the Senate took a recess until three o'clock P. M.

REASSEMBLED.

The Senate reassembled at three o'clock P. M.
President pro tem in the chair.
Roll called.
Quorum present.
On motion of Mr. Pendegast, the special order was temporarily postponed.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
December 7th, 1871.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly has this day adopted Assembly Concurrent Resolution No. 1—Relative to appointing a committee of three to confer with a similar committee of the Senate on ceremonies of inauguration, and have appointed Messrs. Mott, Splivalo, and Andrews as committee on the part of the Assembly, and ask the concurrence of your honorable body in the passage of the resolution.

GEORGE W. DIXON,
Assistant Clerk.

The Senate concurred in Assembly Concurrent Resolution No. 1—Relative to the appointment of a Committee on Ceremonies of Inauguration, above reported, and the President appointed as the committee on the part of the Senate Messrs. Perkins, Duny, and Conte.

SPECIAL ORDER.

At three o'clock and ten minutes P. M. the Senate took up consideration of the Governor's message transmitting appointments.

On the question, "Will the Senate advise and consent to the appointment of R. Augustus Thompson as Reporter of the Supreme Court?" the roll was called, with the following result:

AYES—Messrs. Andross, Banvard, Beck, Betge, Boggs, Boucher, Comte, Crane, De Haven, Duffy, Dyer, Evans, Farley, Finney, Fowler, Garratt, Goodale, Gwin, Hutchings, Irwin, Kent, Keys, Larkin, Maclay, Minis, McMurry, McCoy, McKusick, Neff, Oulton, O'Connor, Pendegast, Perkins, Tompkins, Turner, Tuttle, Wand, Wilson, and Wing—39.
NOES—None.

On the question, "Will the Senate advise and consent to the appointment of J. W. Mandeville as Commissioner of Immigration?" the roll was called, with the following result:

AYES—Messrs. Andross, Banvard, Beck, Betge, Boggs, Boucher, Comte, Crane, Dyer, Evans, Farley, Finney, Fowler, Garratt, Goodale, Gwin, Hutchings, Irwin, Kent, Keys, Larkin, Maclay, Minis, McMurry, McCoy, McKusick, Neff, O'Connor, Pendegast, Perkins, Tompkins, Turner, Tuttle, Wilson, and Wing—35.
NOES—Messrs. De Haven and Duffy—2.

On the question, "Will the Senate advise and consent to the appointment of H. A. Cobb as Major General of the National Guard?" the roll was called, with the following result:

AYES—Messrs. Andross, Banvard, Beck, Boggs, Boucher, Comte, Crane, De Haven, Duffy, Dyer, Evans, Farley, Finney, Fowler, Garratt, Goodale, Gwin, Hutchings, Irwin, Kent, Keys, Larkin, Maclay, Minis, McMurry, McCoy, McKusick, Neff, Oulton, O'Connor, Pendegast, Perkins, Tompkins, Turner, Tuttle, Wand, Wilson, and Wing—38.
NOES—None.

On the question, "Will the Senate advise and consent to the appointment of John M. Baldwin, Brigadier General, First Brigade, National Guard?" the roll was called, with the following result:

AYES—Messrs. Andross, Banvard, Beck, Betge, Boggs, Boucher, Comte, Crane, De Haven, Duffy, Dyer, Evans, Farley, Fowler, Garratt, Goodale, Gwin, Hutchings, Irwin, Kent, Keys, Larkin, Maclay, Minis, McMurry, McCoy, McKusick, Neff, Oulton, O'Connor, Pendegast, Perkins, Tompkins, Turner, Tuttle, Wand, Wilson, and Wing—39.
NOES—None.

On the motion, "Will the Senate advise and consent to the appointment of John Hewston, Jr., as Brigadier General, Second Brigade, National Guard?" the roll was called, with the following result:

AYES—Messrs. Andross, Banvard, Beck, Betge, Boggs, Boucher, Comte, Crane, De Haven, Duffy, Dyer, Evans, Farley, Finney, Fowler, Garratt, Goodale, Gwin, Hutchings, Irwin, Kent, Keys, Larkin, Maclay, Minis, McMurry, McCoy, McKusick, Neff, Oulton, O'Connor, Pendegast, Perkins, Tompkins, Turner, Tuttle, Wand, Wilson, and Wing—39.
NOES—None.

[Mr. Pendegast in the chair.]

On the question, "Will the Senate advise and consent to the appointment of Josiah Howell as Brigadier General, Fourth Brigade, National Guard?" the roll was called, with the following result:

AYES—Messrs. Andross, Banvard, Beck, Betge, Boggs, Boucher, Comte, Crane, De Haven, Duffy, Dyer, Evans, Farley, Finney, Fowler, Garratt, Goodale, Gwin, Hutchings, Irwin, Kent, Keys, Larkin, Maclay, Minis, McMurry, McCoy, McKusick, Neff, Oulton, O'Connor, Pendegast, Perkins, Tompkins, Tuttle, Wand, Wilson, and Wing—37.

NOES—None.

On the question, "Will the Senate advise and consent to the appointment of William A. Davies as Brigadier General, Third Brigade, National Guard?" the roll was called, with the following result:

AYES—Messrs. Andross, Banvard, Beck, Betge, Boggs, Boucher, Comte, Crane, De Haven, Duffy, Dyer, Evans, Farley, Finney, Fowler, Garratt, Goodale, Gwin, Hutchings, Irwin, Kent, Keys, Maclay, Minis, McMurry, McCoy, McKusick, Neff, Oulton, O'Connor, Pendegast, Perkins, Tompkins, Tuttle, Wand, Wilson, and Wing—37.

NOES—None.

On the question, "Will the Senate advise and consent to the appointment of Thomas N. Cazneau as Adjutant General?" the roll was called, with the following result:

AYES—Messrs. Andross, Banvard, Beck, Boggs, Boucher, Comte, Crane, De Haven, Duffy, Dyer, Evans, Farley, Finney, Fowler, Garratt, Goodale, Gwin, Hutchings, Irwin, Kent, Keys, Maclay, Minis, McMurry, McCoy, McKusick, Neff, Oulton, O'Connor, Pendegast, Perkins, Tompkins, Tuttle, Wand, Wilson, and Wing—36.

NOES—None.

On the question, "Will the Senate advise and consent to the appointment of George Johnson as Pilot of the Port of San Diego?" the roll was called, with the following result:

AYES—Messrs. Andross, Banvard, Beck, Boggs, Boucher, Comte, Crane, Duffy, Dyer, Evans, Farley, Finney, Fowler, Garratt, Goodale, Gwin, Hutchings, Irwin, Kent, Keys, Maclay, Minis, McMurry, McCoy, McKusick, Neff, Oulton, O'Connor, Pendegast, Perkins, Tompkins, Tuttle, Wand, Wilson, and Wing—35.

NOES—None.

On the question, "Will the Senate advise and consent to the appointment of Henry C. Johnson as Pilot of the Port of San Diego?" the roll was called, with the following result:

AYES—Messrs. Andross, Banvard, Beck, Betge, Boggs, Boucher, Comte, Crane, Duffy, Dyer, Evans, Farley, Finney, Fowler, Garratt, Goodale, Gwin, Hutchings, Irwin, Kent, Keys, Maclay, Minis, McMurry, McCoy, McKusick, Neff, Oulton, O'Connor, Pendegast, Perkins, Tompkins, Tuttle, Wand, Wilson, and Wing—36.

NOES—None.

On the question, "Will the Senate advise and consent to the appointment of P. P. Martin as Pilot of the Port of San Diego?" the roll was called, with the following result:

AYES—Messrs. Andross, Banvard, Beck, Betge, Boggs, Boucher, Comte, Crane, Duffy, Dyer, Farley, Finney, Fowler, Garratt, Goodale, Gwin, Hutchings, Irwin, Kent, Keys, Maclay, Minis, McMurry, McCoy, McKusick, Neff, Oulton, O'Connor, Pendegast, Perkins, Tompkins, Tuttle, Wand, Wilson, and Wing—34.

NOES—None.

On the question, "Will the Senate advise and consent to the appointment of William Corcoran as Inspector of Stamps?" the roll was called, with the following result:

AYES—Messrs. Andross, Banvard, Beck, Betge, Boggs, Boucher, Comte, Crane, Duffy, Dyer, Farley, Finney, Fowler, Garratt, Goodale, Gwin, Hutchings, Irwin, Kent, Keys, Maclay, Minis, McMurry, McCoy, McKusick, Neff, Oulton, O'Connor, Pendegast, Perkins, Tompkins, Tuttle, Wand, Wilson, and Wing—35.

NOES—None.

On the motion, "Will the Senate advise and consent to the appointment of W. H. Bell as Inspector of Stamps?" the roll was called with the following result:

AYES—Messrs. Andross, Banvard, Beck, Betge, Boggs, Boucher, Comte, Crane, Duffy, Dyer, Farley, Finney, Fowler, Garratt, Goodale, Gwin, Hutchings, Irwin, Kent, Keys, Maclay, McMurry, McCoy, McKusick, Neff, Oulton, O'Connor, Pendegast, Perkins, Tompkins, Turner, Tuttle, Wand, Wilson, and Wing—35.

NOES—None.

On the question, "Will the Senate advise and consent to the appointment of J. West Martin as Regent of the State University?" the roll was called with the following result:

AYES—Messrs. Andross, Banvard, Beck, Betge, Boggs, Boucher, Comte, Duffy, Dyer, Farley, Finney, Fowler, Garratt, Goodale, Gwin, Hutchings, Irwin, Kent, Keys, Larkin, Maclay, Minis, McMurry, McCoy, McKusick, Neff, Oulton, O'Connor, Pendegast, Perkins, Tompkins, Turner, Tuttle, Wand, Wilson, and Wing—36.

NOES—None.

At three o'clock and forty-five minutes, on motion of Mr. Maclay, the Senate adjourned.

J. T. FARLEY, President pro tem.

ROBERT FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Friday, December 8th, 1871.

Senate met pursuant to adjournment.
President pro tem in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
On motion of Mr. Pendegast the reading of the Journal was dispensed with.

REPORTS.

By Mr. Perkins:

Mr. PRESIDENT: Your Committee appointed on Inaugural Ceremonies beg leave to report that they have conferred with the Governor and Lieutenant Governor elect, and have arranged to have the ceremonies conducted at the west portico of the Capitol this day at twelve o'clock.

By Mr. Betge:

Mr. PRESIDENT: The Committee on Joint Rules beg leave to report and recommend the adoption of the joint rules governing the eighteenth session of the Legislature.

R. J. BETGE, Chairman Senate Committee.
LUTTRELL, Chairman House Committee.

JOINT RULES.

1.

In every case of an amendment of a bill agreed to in one House and dissented from in the other, if either House shall request a conference and appoint a committee to confer, the other House shall appoint a like committee; and such committee shall meet at a convenient hour, to be agreed upon by their respective Chairmen, and shall confer upon the differences between the two Houses, and shall report as early as convenient the result of their conference to their respective Houses for their action.

2.

When a message shall be sent from either House it shall be announced at the door by the Doorkeeper, and shall be respectfully communicated to the Chair by the person by whom it may be sent.

3.

Messages shall be sent by the Secretary, Clerk, or by such person as a sense of propriety of each House may determine to be proper.

4.

Notice of the action of either House to the other shall be on paper and under the signature of the Secretary or Clerk of the House from which such notice is to be conveyed.

5.

After a bill shall have passed both Houses it shall be duly enrolled by the Enrolling Clerk of the Assembly or of the Senate, as the bill may have originated in the one or the other House, and shall first receive the signature of the presiding officer and Clerk or Secretary of the House in which it emanated before it shall be presented to the Governor of the State.

6.

When bills are enrolled they shall be examined by the Enrolling Committee of the House in which they originate, who shall carefully compare the enrolment with the engrossed bill as passed in the two Houses, and correcting any errors that may be discovered in the enrolled bill, make their report forthwith to the House in which the bill originated, stating by whom such bill was examined.

7.

After examination and report each bill shall be signed in the respective Houses, first by the Speaker of the Assembly, then by the President of the Senate.

8.

After a bill shall have thus been signed in each House it shall be presented by the Enrolling Committee of the House in which it originated to the Governor of the State for his approval (it being first indorsed on the back of the roll by the Secretary or Clerk, as the case may be, certifying in which House the bill originated). The said committee shall report the day of presentation to the Governor, which time shall be carefully entered on the Journals of the House in which the bill originated.

9.

All orders, resolutions, and votes which are to be presented to the Governor of the State for his approbation shall also, in the same manner, be previously enrolled, examined, and signed, and shall be presented in the same manner and by the same committee as provided in the case of bills.

10.

When the Senate and Assembly shall judge it proper to make a joint address to the Governor it shall be presented to him in his audience chamber by the President of the Senate, in the presence of the Speaker and both Houses.

11.

When a bill or resolution which shall have passed in one House is

rejected by the other, notice thereof shall be given to the House in which the same shall have passed.

12.

When a bill or resolution which has been passed in one House shall be rejected in the other, it shall not be brought in during the same session without a notice of five days and leave of two thirds of that House in which it shall be renewed.

13.

Each House shall transmit to the other papers on which any bill or resolution shall be founded.

14.

After each House shall have once adhered to their disagreement a bill or resolution shall be lost.

15.

No bill or resolution that shall have passed the Assembly and Senate shall be presented to the Governor for his approval on the last day of the session.

16.

No appropriations of money, for any purpose whatever, shall be made except by bill.

17.

Each House may order the printing of bills introduced and reports of its own committees, but no other printing shall be ordered except by a concurrent resolution passed by both Houses.

18.

There shall be a Joint Standing Committee of three from each House, who shall examine all matter proposed to be printed by concurrent order, and shall report what part of such matter it is needful to print.

19.

No spirituous liquors shall be offered for sale or introduced within any portion of the building which is used for State purposes or is under the control of this Legislature.

20.

No increase in the pay of any officer or attaché of the Senate or Assembly shall be made by resolution except by unanimous consent.

21.

All concurrent or joint resolutions which relate to or contain communications to the Federal Government shall be treated in all respects as bills.

22.

Whenever a bill or resolution which shall have been passed in one House shall be amended in the other, such amendment or amendments shall be attached to the bill or resolution so amended, and indorsed "adopted;" and such amendment or amendments, if concurred in by the House in which such bill or resolution originated, shall be indorsed "concurred in;" and such indorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Clerk or Assistant Clerk of the Assembly, as the case may be.

On motion of Mr. Betge the report was adopted.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Larkin—An Act to amend an Act entitled an Act to provide for the incorporation of railroad companies and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one.

Read first and second times and placed on file.

By Mr. Larkin—Proposed amendment to the Constitution of the State of California.

Read first and second times and ordered on file.

By Mr. Wilson—An Act to repeal an Act entitled an Act to protect litigants, approved March twenty-ninth, eighteen hundred and seventy.

Read first and second times and placed on file.

By Mr. Tompkins—An Act to enable the inhabitants of territory adjacent to any city in this State to annex the same thereto.

Read first and second times and placed on file.

By Mr. Turner—An Act to repeal an Act entitled an Act to prevent double taxation, approved April first, eighteen hundred and seventy; also, an Act entitled an Act to relieve owners of encumbered real estate from double taxation, approved April fourth, eighteen hundred and seventy.

Read first and second times and placed on file.

By Mr. McCoy—An Act to legalize, ratify, and confirm deeds of conveyance and grants of land made by the municipal authorities of the City of San Diego.

Read first and second time and ordered on file.

RESOLUTIONS.

By Mr. Wand:

Resolved, By the Senate, the Assembly concurring, that when our respective bodies do this day adjourn, that they adjourn until Tuesday, December twelfth, at two o'clock P. M.

Upon the adoption of the resolution, the ayes and noes were demanded by Messrs. Oulton, Finney, and Neff, and the Senate refused, by the following vote:

AYES—Messrs. Banvard, Betge, Boggs, Comte, Duffy, Dyer, Evans, Farley, Fowler, Garratt, Gwin, Hutchings, Mackay, Minis, McCoy, Pendegast, Tompkins, Tuttle, and Wand—19.

NOES—Messrs. Ametross, Beck, Boucher, Crane, De Haven, Finney, Goodale, Irwin, Kent, Keys, Larkin, McKusick, Neff, Oulton, O'Connor, Perkins, Turner, Wilson, and Wing—19.

By Mr. Perkins:

Resolved, By the Senate, the Assembly concurring, that the joint committee of the two Houses, heretofore appointed to superintend the inauguration ceremonies, be authorized to incur such expenses as they may deem necessary in the discharge of their duties, and that the same be paid out of the contingent appropriation of the two Houses.

On motion of Mr. Evans the rules were suspended and the resolution adopted.

By Mr. Banvard:

Resolved, That when the Senate adjourn this day that it adjourn until Monday, eleventh instant, at two o'clock P. M.

On the adoption of the resolution, the ayes and noes were demanded by Messrs. Banvard, Larkin, and Oulton, and the Senate so ordered by the following vote:

AYES—Messrs. Banvard, Boggs, Comte, Duffy, Dyer, Evans, Farley, Fowler, Gwin, Hutchings, Keys, Larkin, Mackay, Minis, McMurry, McCoy, Pendegast, Tompkins, and Wand—19.

NOES—Messrs. Ametross, Beck, Boucher, Crane, De Haven, Finney, Goodale, Kent, McKusick, Neff, Oulton, O'Connor, Turner, Tuttle, Wilson, and Wing—16.

By Mr. Banvard:

Resolved, That three days' additional pay be allowed the following porters of the Senate, viz: W. C. Van Arnam, E. C. Chambers, John O'Connell.

Adopted.

By Mr. Pendegast:

Resolved, That Senators Banvard, Wilson, and Wing be and they are hereby appointed the Standing Committee of the Senate on Mileage.

Adopted.

By Mr. Pendegast:

Resolved, That the Sergeant at Arms of the Senate be and he is hereby authorized to appoint a clerk at a per diem of eight dollars, to be paid out of the Contingent Fund of the Senate.

Adopted.

By Mr. Banvard:

Resolved, That the Controller of State be authorized to draw his warrant upon the Treasurer of State in favor of W. C. Van Arnam, E. C. Chambers, and John O'Connell for twelve dollars each, for three days extra pay for services as Porter.

Adopted.

[Mr. Fowler in the chair.]

At eleven o'clock and forty-eight minutes A. M., on motion of Mr. Minis, the Senate adjourned.

J. T. FARLEY, President pro tem.

ROBERT FERRAL, Secretary.

INAUGURAL ADDRESS OF GOVERNOR BOOTH.

FELLOW CITIZENS:

Established custom requires that the Governor of the State at the beginning of his term of office shall briefly outline the policy he desires to exemplify in his administration. I discharge this duty not without diffidence, for I am fully aware that experience in the execution of the laws as they are can alone give that exact knowledge of their details and actual working which is of the highest value in forming an opinion of their efficiency and of the necessity of amendment.

The statement of general principles is comparatively easy; their practical application to affairs is more difficult, and to some extent experimental. Not every theory will bear the test of practice, and too much legislation is one of the recognized evils of government. One of the most philosophical and correct thinkers of modern times has affirmed that the wisdom of the legislator is oftener shown in the repeal of old statutes than in the enactment of new.

That government will be best which confines itself most strictly within the sphere of its duties; which, recognizing the sacredness of personal freedom, imposes no more restriction upon the individual than is necessary for the safety of society, and whose laws, like those of nature, are impartial in design and general in their operation. The great mass of the people neither expect nor desire any benefits from government which are not common to all. There will always be, however, an active few seeking the advancement of their own interest by legislation, and they will never be wanting in specious arguments in their own behalf, while the public welfare is apt to be silent until it is injured.

TEST OF LEGISLATION.

The most necessary laws will often confer incidental personal advantages. School houses and highways will best accommodate those who live nearest to them; public buildings may advance the value of contiguous property; public offices involve the payment of fees and salaries to individuals.

From the nature of things it is impossible that law should equalize human conditions. There is one test, however, which should be applied to every measure of legislation—is the general good the object, and individual advantage the necessary incident? or is individual profit the object, and the general good the incident or pretext? It should always be remembered that government is only the agent of the people for

specific purposes; that it should never attempt to do for the people what they can as well do for themselves, and that, having nothing of its own to bestow, it cannot give to one without taking from another. The law of compensation is inexorable, and in political economy it will be forever true that to seek a partial good is to incur a general evil.

No body of men was ever wise enough to adjust the conflicting interests and direct the various industries of a large community. To attempt it is to disturb the equilibrium of society. Every citizen has the same right to protection from his government. Under the security afforded by a just government, extending equal protection, enterprise and labor will find their most profitable channels, character its best development, and society its most harmonious organization. Brilliant schemes that promise immediate benefits in a particular direction appeal strongly to the imagination, but their highest success is too dearly paid for by the sense of injustice which impairs the respect for law and weakens the ties of patriotism.

IDEA OF GOVERNMENT.

It follows that my own idea of government is that law should be the simplest possible expression of the necessities of society, and administration a matter of business, not of show. It does not follow, if we all agree in this, that we shall be able to realize our ideal. I trust, however, we shall honestly try.

LOCAL AND GENERAL LAWS.

In a State so large in area and so diversified in natural and artificial resources and conditions as ours, some local regulations will always be necessary. It is the part of wisdom that the communities immediately interested should determine these for themselves, and State laws may be made general by conferring upon local authorities sufficient powers for local government. As the State, however, is directly interested in the credit of each of its political subdivisions, and is charged with the duty of protecting every citizen from burdensome exactions, care should be taken to interpose proper restrictions against the creation of debts, the levy of excessive taxes, and the appropriation of money to private enterprises.

The provision of the Constitution which prohibits the creation of a State debt without a popular vote will be of little practical utility if the cities and counties are allowed to contract obligations which become a charge in detail upon the property of the State. Subject to these limitations, and under proper regulations to secure uniformity in the operation of general laws, every county, town, and city should be self-governing in everything which concerns its local affairs, and the Legislature be relieved of the embarrassment of considering measures of special application. If the theory of popular institutions be true, government should be brought as near the people as possible, that it may be directly amenable to public opinion, its mistakes earliest realized, and most easily remedied.

MUNICIPAL GOVERNMENT OF CITIES.

It is sometimes conceded that the democratic theory fails in its application to the municipal government of large cities. If it does, necessarily its ultimate failure will be entire, for diverse principles of govern-

ment cannot permanently obtain in the same general system, and the tendency of population is more and more toward centralization. Perhaps the cause of failure may be found rather in the methods of application than in the principle itself. The city, where public opinion is most concentrated, and its great organ, the press, most powerful, where the interests to be affected are most immediate, should be as capable of municipal self-government as the State and nation are of general government. The experiment should be fairly tried, without divided responsibility, and with the certainty that the municipal regulations of a city, being made by itself, will be such as it deserves.

REVENUE AND TAXATION.

The most important and difficult functions of the State Government relate to revenue and taxation. To combine economy with efficiency in administration and to apportion taxes equitably are the ever recurring problems which address themselves to the legislator and political economist. In public as in private life, economy requires the sacrifice of show to substance and the wise adaptation of means to ends. Blind parsimony may prove as wasteful as wilful extravagance. The people expect their representatives to deal honestly with them, to make appropriations intelligently for the necessary purposes of good government, and to exact strict accountability for their proper expenditure. No offices should be created for the sake of affording places; the cost of public buildings should be limited to fair estimates; appropriations for necessary expenses of State institutions (as prison, asylums, etc.) should be sufficient, so that demands against the State should not be discounted while money is lying idle in the General Fund, and every care should be taken to prevent the credit of the State from being pledged, directly or by implication, beyond the exact authorization of law.

The fiscal affairs of the State should be managed as a prudent business man manages his own, paying well for services rendered, and for no more. Every dollar of taxation represents the labor of some one—dollar contributed to the State for the common good, to the "commonwealth," but which is felt as an unjust exaction, a wrongful use of arbitrary power, when devoted to individual or partial benefit.

DEFECTS IN OUR SYSTEM OF TAXATION.

A very large proportion of the revenue of the State is raised by direct taxation upon property.

The Constitution requires that taxation shall be uniform throughout the State. "All property in this State shall be taxed in proportion to its value, to be ascertained as directed by law; but Assessors of town, county, and State taxes shall be elected by the qualified electors of the district, county, or town in which the property taxed for State, county, or town purposes is situated." The difficulty in giving a literal construction to the final clause without the most complicated and expensive machinery seems insuperable, as is ably shown by Commissioner Lindley in the preface to the Chapter on "Town Governments," in the report of the Revision Commission.

No scheme of taxation has ever been devised which was absolutely just. Perhaps none can be. The theory of our Constitution on the subject is perfectly fair; its failure in everything except raising the necessary revenues is confessed. The burdens of taxation are practically

distributed as follows: The non-taxpayer feels them in the increased expense of living, and if he depend upon his daily labor, as over taxation discourages industrial enterprises, in diminished wages and diminished opportunities of employment. Among taxpayers the proportion paid by each is in inverse ratio to his ability—the wealthiest paying the least percentage on the value of their property. There are exceptions, but probably not more than to every general principle. A perfectly just system, if attainable, would reverse this rule.

If every member of the community knew that he was called upon to pay only his just proportion of the necessary expenses of government, no obligation would be more cheerfully met. As the distribution is felt to be unfair, each is apt to fancy himself the greatest sufferer, and to look upon the Assessor and Collector as his natural enemies. Too low a valuation in one county is made the excuse for one still lower in another, and no individual willingly returns his property at its full market worth, knowing that the rate has been fixed on the assumption that not more than fifty per centum of all values will be reached. Under our Constitution, while a "State Board of Equalization" may be very useful in bringing gross abuses to light, it is doubtful if its powers can be more than moral, or extend beyond recommendations and instructions. The difficulty of determining by a single Board the values of real estate and visible personal property, is manifest in a State so large and of such varied conditions as ours; while moneys and solvent credits not exposed by public records, so easily elude observation, and are latter are susceptible of such varied condition, that the old system of torturing the body by rack, thumb-screw, and lash, and the modern device of torturing the conscience by oaths administered by the Assessor, have alike failed to fully disclose them to the tax gatherer.

Apportioning the assessment of a railroad to the various counties through which it passes leads to the absurdity of attempting to estimate the value of a road cut off from competition at both ends and to inquire into the probable worth of the iron and ties "as they lie," for purposes other than the only one for which they are fit.

Between the perplexing questions whether the shares in a corporation should be assessed to individual holders, the market value of the property belonging to the incorporation assessed to the company, or the value of the franchise be included, the rule is usually adopted which yields the lowest valuation.

The law which allows a property holder to cancel a tax by showing some technical irregularity is a premium on litigation without risk, and enables large taxpayers, individual and corporate, to dictate their own terms of compromise.

Our system not only fails in proper distribution, but its influence is demoralizing; and every system which largely involves the exercise of individual discretion and the universal administration of oaths to parties in interest will have the same result.

PLAN OF TAXATION SUGGESTED.

Since it is practically impossible to impose taxes directly upon all property according to its value, the question ought to be seriously considered whether they may not be so imposed as to "equitably distribute themselves." A tax upon land, if uniform, becomes a fixed quantity in the calculation of its value; it is a known encumbrance, and modifies its price. To that extent land values will adapt themselves to a uniform

rate of taxation. If land values (including, of course, village, city, and country) alone were taxed, the revenue of the State would be in the nature of a reserved rent, stipulated for at every transfer, and modifying the consideration at every sale. If that policy had been originally adopted, speculation in unoccupied lands would have been in some degree prevented, the lands would be more generally cultivated by owners, and bear the whole burden of taxation with more ease than they now do their proportion, leaving all improvements and personal property free. The vested rights of land owners will probably forever prevent a recurrence to this policy.

I beg to submit for public consideration the brief outline of a plan, for some of the suggestions of which I am indebted to the very able report of the "Commission on Local Taxation," recently appointed by Governor Hoffman, of New York.

Lands, other than town, city, and suburban lots, to be classified, the Assessor to determine the class to which each tract belongs, when the law will fix its value for purposes of taxation. The classification could be so adjusted as to discourage the holding of land in large bodies for purposes of speculation, and made effective to that end by recognizing possessory rights and inchoate titles as taxable. The State to determine the value of the franchises of such corporations as railroad, banking, gas companies, etc., by aggregating the market value of their stock and bonds, collect a fixed rate percentum on the whole, and give the counties and cities a fair equivalent for their right of local taxation. Moneys to be indirectly reached by a stamp tax on notes, bonds, mortgages, etc. This would leave town, city, and suburban lots, and personal property other than moneys and debts, to be assessed by appraisement.

I have dwelt upon the whole subject at some length, as any radical, and I believe, any beneficial change in our revenue system requires a change in the Constitution, and this is the only opportunity I shall have of officially addressing the people directly.

I know the suggestions offered are imperfect; I trust, then, general discussion will result in the maturing of some plan which will apportion taxes more equitably, collect them more cheaply, and in a greater degree check one of the growing and threatening evils of our time—land monopoly. The theories of the most advanced writers on political economy and the practice of the civilized world outside the United States, condemn our present system as cumbersome in machinery, unjust in distribution, and demoralizing in influence. Our constitutional provisions, like many other laws, practically defeat their own theory.

SUBSIDIES.

It is the history of every country that with increasing wealth there is an increasing tendency toward centralization, and a growing danger that aggregated capital will obtain undue political influence. "It is one of the problems of government to prevent the ruling power from becoming all powerful." Whether the ruling power is found in numbers, where it is supposed to be, or in money, where it too often is, every care should be taken to restrain its exercise within the bounds of justice. In administering the government we are called upon to consider not only immediate material advantages, but ultimate moral effects. It is certain that where money is a political power at all, there is a constant danger that it will become all powerful. It is the most active principle of society, forever seeking its own, and not apt to be content with that. When

the accumulation of wealth is the legitimate result of energy and sagacity, it is a stimulant to industry and enterprise, and their just reward. when conferred by favoritism of law, it is first an incentive to, then a source of political corruption. If any favors are granted at all they should be to the weak, and not the strong. But the law should be no respecter of persons, if for no other reason, because favors granted to any are certain to gravitate to the strongest power.

These considerations, together with the manifest injustice of weighing benefits to some, against injuries to others, even if the benefits preponderate, have had a determining influence in forming public opinion on the subject of State and local subsidies to railroad and other corporations. In order to give effective expression to the pronounced will of the people, the Act known as the "Five Per Cent Law" should be repealed, and the necessary steps be taken to amend the Constitution so as to prevent similar legislation hereafter.

FARES AND FREIGHTS.

The right of the State to regulate the rate of freights and fares on railroads is founded on the fact that every railroad invokes the exercise of one of the State's highest prerogatives—the condemning of private property, in its construction. The Legislature should exercise this right with due consideration, to protect the public from overcharges, and at the same time afford proper guarantees to invested capital, and give liberal encouragement to the building of railroads. The present rates were established at a time when the standard of values was much higher than now, and when the construction of railroads in this State was regarded as a costly and hazardous experiment. That they are too high is a fair deduction from the facts that they are not less than three times the average rates in the States east of the Rocky Mountains, and that the local rates allowed are out of proportion with the through rates charged. It requires no argument to prove that freight and passengers can be transported at a lower rate per mile one hundred miles than fifty; and it is equally clear that no system should be tolerated which will allow a higher charge in the aggregate for transportation of fifty than a hundred miles, or under which a shipper may be compelled to send his goods some hundreds of miles westward to find the cheapest initial point for their eastern transit, over the same road.

It is argued that no rates should be established by law, as competition is the best regulator of prices. Practically there is no local competition, and we cannot ignore the tendency toward a general consolidation of all the railroads in the United States—a consummation which, if reached, will create a power greater than any single State, and the rival of the General Government. It is urged with some degree of plausibility, that the interests of railroads and the public are identical, and that corporations owning roads will find by experiment the point of agreement. It is a fair answer to this, in terms at least, that the public, whose interest is general, has the benefit of the same experience, and would be as likely to come to a correct conclusion as the corporations, whose interest is specific. In fact, however, the interests of passengers and shippers and of carriers are not identical. The one is for the lowest rate consistent with safety, the other for a rate that will yield the largest revenue with the least expense. The Legislature represents both, and should accord to each that just and enlightened consideration which is due to every interest and every species of property in the State.

RELATIONS OF STOCKHOLDERS TO CORPORATIONS.

The undue political influence and financial control that many corporations have assumed, is not the only evil presented by them. In their internal administration, between majorities and minorities, directors and stockholders, cases of the grossest injustice are constantly arising. It is not uncommon to find one class of stockholders enriching themselves from a company which impoverishes another. So common is this, especially with mining companies, that it has become proverbial and grown into a distinct and disgraceful code of morals, one of whose tenets is, that to own a majority of stock or a controlling interest is equivalent to owning it all.

No stockholder should ever be allowed to hold any interest in a corporation which is distinct from and may become antagonistic to the interest of the company as a whole. The attempt to do so on the part of any officer of the company should be regarded as a breach of trust, and so punished. And the organization of corporations within corporations is a refinement of subtlety and fraud which should be positively prevented by law.

FREE SCHOOLS AND COMPULSORY EDUCATION.

The American system of free schools is one of the most beneficent outgrowths of our history. In some other countries education is as general and as free, but in none is the principle so well recognized that independent manhood is an object of greater solicitude than a powerful State; that man should be educated for his own sake, and not as a part of governmental machinery; that he is higher than the State, and that society and law are valuable only as they enable him to become more a man. The right of every child to an elementary education is as sacred as his right to air and light; to deprive him of it is to deprive him of the sixth sense of civilization, and in the future will remand him to a pariah caste. Public sentiment in this State in favor of "compulsory education" is general, and not partisan. It does not propose to interfere with the right of the parent to select a school for his children or to educate them at home, but to enforce the right of the child as a member of society which he himself is powerless to do. The statutes of Michigan, Texas, and other States that have legislated upon this subject may be studied with advantage in framing our own.

THE RIGHT TO EDUCATION INDEPENDENT OF COLOR.

The amendments to the Federal Constitution which make the rights of citizens independent of color have been so generally acquiesced in that it is a part of the political creed of both the great national parties to leave them undisturbed. The impropriety of imposing the duties of citizenship upon any class of persons, and depriving them of the privileges which fit them for a proper discharge of those duties, is manifest; and the injustice of compelling any parent, under penalty, to educate his children, and denying him an equal opportunity with all others to do so, while taxing him for the support of schools whose doors are closed in his face, is too gross and palpable to be allowed. No republican

State can afford to violate the fundamental law of justice by making arbitrary distinctions among its citizens, or to dishonor any one for an accident of birth who may be called upon to peril his life for his country. Whoever is clothed with the dignity of American citizenship should be able to stand erect in the consciousness that he is the equal before the law with every other citizen—that the Republic which claims his allegiance knows neither high nor low, nor rich nor poor, but recognizes all citizens as "peers of the realm." All badges of distinction that are relics of the slaveholding era of our National history should pass away with the system they commemorate. Until the State graduates penalties, it cannot justly graduate opportunities. The doors of our schools should be open to all, with no prejudice of caste without, and no sectarian teaching within, which will prevent any child from freely entering.

REVISION OF THE LAWS.

One of the most important subjects which the Legislature will be called upon to consider at the present session is the report of the board of Revision Commission. Any one who has often had occasion to examine the statutes of this State will recognize the necessity for their general revision. The report of the Board embraces more than this, and proposes a "Code of Laws"—political, civil, and criminal—for the entire government of the people of the State. The object has not been to change the laws, but to crystalize them in expression, and do away with redundancies and with the incongruity of a written Constitution and vast body of unwritten law; to generalize the statutes and principles of common law into a science. Without assuming an ability to pass upon the merits of the report as a whole, I may express the opinion, from a partial examination, that the plan is comprehensive, the arrangement systematic, and the style clear and terse. Believing it important that a work requiring so much care in details should be subject to closer criticism than the members of the Senate and Assembly would be able to give it consistently with their other duties, and desiring that it should be presented to the Legislature in as perfect a form as possible, I have united with Governor Haight in a request to two eminent members of the bar to examine it. Of course the request is subject to the approval of the Legislature, but it is due to the gentlemen who have acceded to it that early action should be taken upon the matter.

LEGISLATORS SHOULD BE ELECTED BY DISTRICTS.

The Legislature will also be called upon to reapportion the State for legislative and congressional representation. Under the present system the City and County of San Francisco will elect by general ballot nearly one fourth of the members of the Senate and Assembly. It will be more in accordance with the theory of our Government, and better secure the rights of minorities, that the State should be divided into senatorial and representative districts, so that each member of the Legislature shall be elected by and responsible to a single constituency.

TOO MANY ELECTIONS.

Holding separate elections for judicial and political offices is productive of additional expense without corresponding benefit. The amendment to the Constitution (now pending) to remedy this meets the gene-

ral approbation of the people, and will no doubt receive the favorable consideration of the Legislature. If by an additional amendment the time of holding elections for State and county officers should be changed from the odd to the even years, the general State election might be held on the same day as the Presidential, United States Senators would not, as now, be necessarily elected fourteen months before the beginning of their term of office, and there would be no vacancy, as there now is, in our accredited representation to the lower House of Congress from the fourth of March until the October election in the odd years.

UNIFORM BALLOTS, AND PURITY OF ELECTIONS.

No precautions should be neglected to secure the independence of electors and the purity of elections. The advantage claimed for the ballot as a method of voting is the free expression of individual will that results from absolute secresy. This is the right of every voter, and should be secured to him by proper legislation. Our laws for the punishment of the corrupt use of money at elections are stringent in terms, but some provisions additional seem necessary to insure their enforcement.

LITIGANT AND STATE PAPER ACTS.

The enactment popularly known as the "Litigant Organ Act" is of more than questionable policy. It removes a certain class of public service from the healthy test of general competition, and to that extent creates a "monopoly." It gives the newspaper selected an additional incentive to active and prejudiced partisanship, and is a premium to the servility and discrimination against the freedom of the press. If it should be deemed desirable to retain the State litigant paper for the purpose of giving notice to absent defendants, the selection of such organ should be determined by competitive bidding.

GEOLOGICAL SURVEY.

The expenses of the State Geological Survey since its commencement amount to two hundred and twenty-two thousand six hundred dollars. It will be for the Legislature to determine, after careful examination of the work done, whether further appropriations should be made, and upon what terms.

CHINESE IMMIGRATION.

The introduction to this State of large numbers of Asiatics has excited the jealousy of one class of citizens and the anxiety of all. That the immediate effects of this immigration will be to cheapen labor is apparent, and in the influx of this race the laboring classes find cause for alarm, while the political student and the class not dependent upon manual labor for immediate support regard with apprehension the introduction of a people into our midst so different from our own as to preclude the possibility of assimilation. These fears and apprehensions find full expression in the platforms of both political parties. That the introduction of this race cheapens labor, and that many industries have been prosecuted and are now made feasible through this labor cannot be denied, but that cheap labor and the immediate material development of our various resources are the highest objects to be considered may well be questioned. Material wealth, that form of property which manifests

itself in great and costly enterprises, expensive mansions, and other indicia of opulence, though valuable in themselves, and the accepted evidences of prosperity, may be purchased at a cost and maintained by a means that will make them but the sure evidence of a nation's decadence. It may be true in a large sense that the interests of capital and labor are the same; but the capitalist and laborer do not make bargains with each other under the principles of abstract political economy. Each is prompted by self-interest, and pushes any advantage offered by the occasion. Each avails himself of the other's necessities.

Any system which introduces a class of laborers whose wages are exceptionally low for special reasons, gives the capitalist that advantage in making terms; and whatever has a tendency to establish a fixed line of demarcation between capital and labor and create a laboring caste is a social and political evil. Under the stimulus of mechanical inventions there is no danger but wealth will be created with sufficient activity. The danger is it will be massed and not distributed, and that danger will be increased by any system which has a tendency to make labor servile, or place human labor upon an exact equality with the productive power of machinery. The control of the question of Asiatic immigration, however, lies exclusively with the Federal Government. Treaties, commercial relations, and national traditions are all arrayed against any interference with free emigration to these shores, and much difficulty may be found in bringing our national legislators to fully comprehend the evils threatened, which are now local, and not general. It is the general sense of the people that Congress should be memorialized upon this subject, and such restrictions sought at the hands of the Federal Government as will secure this State, with its hopeful future, to the possession of a people that can share equally with each other in political power.

PROTECTION OF LAW TO ALL.

It is, however, under and through the law alone we can act. With these or any other people within our borders there can be but one course—full, perfect protection. Mob violence is the most dangerous form in which the law can be violated, not merely in the immediate outrage committed, but in the results which often follow—communities debauched, jurors intimidated, and Courts controlled by the political influence of the number that are guilty. The unsuccessful prosecutions for the crimes of a mob teach that the number and boldness of the perpetrators too often give immunity to the offence; and not only is the crime unpunished, but Justice is mocked in her very temples by the erection of a tribunal higher than the law. And when, to all this, banded ruffianism selects for its victims a race notoriously defenceless, when pillage and murder are its exploits, the race from which such wretches are recruited, the community which suffers such deeds to be enacted, the officials who stand supinely by without an effort to prevent the crime, are sharers in a common disgrace, and the statute which prevents the victim from testifying becomes party to the offence. I trust that during my administration the spirit of lawless violence which has sometimes disgraced our past may never be exhibited. Should it be, there will be no exertion spared on the part of the Executive to extend to all, from the humblest to the highest, the sovereign protection of the law, and to visit the guilty with the punishment their crimes deserve.

The fiscal condition of the State and of the various State institutions will doubtless be fully treated in the biennial message of the Governor,

before the delivery of this address. If any additional suggestions or recommendations should appear to be necessary I shall avail myself of the privilege accorded by the Constitution to the Governor, and communicate them to the Legislature by special message. If I have omitted to discuss the National questions at issue between the two great political parties, it is not because my convictions are not deep and sincere. I believe I can best manifest my gratitude to the party which has honored me above my deserts by earnestly endeavoring to administer the laws impartially, so as to maintain the honor and advance the interests of the whole State.

IN SENATE.

SENATE CHAMBER,
Monday, December 11, 1871.

Senate met pursuant to adjournment.
Lieutenant Governor R. Pacheco, President of the Senate, in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of Friday, December eighth, read and approved.
[Mr. Evans in the chair.]
Journal of Thursday, December seventh, read and approved.

REPORTS.

By Mr. Perkins:

Mr. PRESIDENT: The joint committee appointed on inaugural ceremonies report that on Friday, the eighth of December, at forty five minutes past one, the Governor and Lieutenant Governor elect of the State of California appeared at the west end of the Capitol, and in the presence of the members and officers of the Senate and Assembly, took the oath prescribed to their respective offices, administered by Chief Justice Rhodes, of the Supreme Court, and were by the President of the Senate declared duly qualified to enter upon the duties of their respective offices.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr Irwin:
Proposed amendment to the Constitution of the State of California.
Read first and second times and placed on file.

RESOLUTIONS.

By Mr. Larkin:

Resolved, That the Committee on Education be and they are hereby requested to prepare and report to the Senate, at an early day, a bill providing for the maintenance during eight (8) months in each year of a system of common schools, to be supported by a State tax, and abolish-

ing all county and district taxes levied for school purposes, except such as are levied for building and repairing school houses.

On motion of Mr. Larkin the resolution was placed on file until such time as the committee is appointed.

By Mr. Comte:

Resolved, By the Senate, the Assembly concurring, that the Judiciary Committees of the respective Houses be and they are hereby constituted a Joint Committee on revision of the laws; to receive from the Revision Commission the works prepared by them, and in conjunction with the Revision Commissioners to give the Penal, Practice, Civil, and Political Codes careful, diligent, and thorough examination: and with such amendments thereto as may be agreed upon by a majority of both committees, to report them in the shape of bills, as prepared by the Revision Commission, to the Senate and Assembly, at as early a day as practicable.

Adopted.

By Mr. Comte:

Resolved, By the Senate, the Assembly concurring, that the Sergeant at Arms of the Senate and the Sergeant at Arms of the Assembly are hereby authorized and requested to furnish the State Librarian with copies of all bills printed for the use of either House.

Adopted.

By Mr. Maclay:

Resolved, That the Senate Chamber be granted to the Standing Committee of the Inauguration Ball to-morrow night week.

Adopted.

At three o'clock P. M., on motion of Mr. Tompkins, the Senate adjourned.

R. PACHECO, President.

ROBERT FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Tuesday, December 12th, 1871.

Senate met pursuant to adjournment.

President pro tem in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Mr. Pendegast presented the credentials of Hon. James Van Ness, Senator elect from the Third Senatorial District.

Mr. Van Ness came forward and took the oath of office, administered by Hon. J. T. Farley, President pro tem of the Senate.

Journal of yesterday read and approved.

NOTICE.

Mr. Wand gave notice that on to-morrow, or at an early day, he would introduce a bill to create a Board of Public Works for the City and County of San Francisco.

RESOLUTIONS.

Mr. Pendegast had leave to introduce the following resolutions:

Resolved, That Messrs. Hutchings, Goodale, McMurry, McKusick, Beck, and Dyer be and they are hereby appointed the Standing Committee on Enrolled Bills.

Resolved, That Messrs. Tuttle, Andross, Pendegast, Boucher, McCoy, and Neff be and they are hereby appointed the Standing Committee on Engrossed Bills.

Resolved, That Messrs. Irwin, Gwin, Andross, Wand, and Turner be and they are hereby appointed the Standing Committee on Elections.

Resolved, That Messrs. Perkins, Comte, Minis, McMurry, and Wing be and they are hereby appointed a Standing Committee on Claims.

Resolved, That Messrs. Banvard, Wilson, Irwin, Oulton, and Evans be and they are hereby appointed the Standing Committee on Finance.

Resolved, That Messrs. Tompkins, Pendegast, Farley, Comte, Van Ness, Oulton, Larkin, O'Connor, and De Haven be and they are hereby appointed the Standing Committee on Judiciary.

Resolved, That Messrs. Wilson, Van Ness, Kent, Fowler, and Boucher be and they are hereby appointed the Standing Committee on Agriculture.

Resolved, That Messrs. Wand, Farley, Minis, Garratt, and Goodale be and they are hereby appointed the Standing Committee on State Prison and Prison Buildings.

Resolved, That Messrs. Beck, Boggs, Dyer, Duffy, and Maclay be and they are hereby appointed the Standing Committee on Public Buildings other than State Prison.

Resolved, That Messrs. Van Ness, Farley, Wand, Finney, and Evans be and they are hereby appointed the Standing Committee on Federal Relations.

Resolved, That Messrs. Tuttle, Pendegast, Gwin, Perkins, and Finney be and they are hereby appointed the Standing Committee on Education.

Resolved, That Messrs. McMurry, Larkin, Betge, Dyer, and Duffy be and they are hereby appointed the Standing Committee on Contingent Expenses.

Resolved, That Messrs. Fowler, Farley, McKusick, Turner, and Pendegast be and they are hereby appointed the Standing Committee on Public Lands.

Resolved, That Messrs. Larkin, O'Connor, Wand, Crane, and De Haven be and they are hereby appointed the Standing Committee on State and County Revenue.

Resolved, That Messrs. O'Connor, Gwin, McMurry, McKusick, and Neff be and they are hereby appointed the Standing Committee on Mines and Mining Interests.

Resolved, That Messrs. Keys, Boggs, Evans, Gwin, and Goodale be and they are hereby appointed the Standing Committee on State Hospitals.

Adopted.

By Mr. Irwin:

Resolved, That the Committee on Contingent Expenses be and they are hereby authorized and directed to procure such rooms as may be necessary for the several committees and clerks of the Senate.

Adopted.

On motion of Mr. Irwin, the Senate took up consideration of General File.

GENERAL FILE.

Senate Bill No. 2—An Act to amend an Act entitled an Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to the town lands granted to the unincorporated towns in this State by the Act of Congress entitled an Act for the relief of the inhabitants of cities and towns upon the public lands, approved March second, eighteen hundred and sixty-seven, approved March thirtieth, eighteen hundred and sixty-eight.

On motion, the above bill was taken from the file and referred to the Judiciary Committee.

Senate Bill No. 3—An Act to establish and define the duties of the Board of Education of the City of Petaluma.

Taken from the file and referred to the Committee on Education.

Senate Bill No. 4—An Act concerning section eleven of an Act to protect agriculture and to prevent the trespassing of animals upon private property, approved March twenty sixth, eighteen hundred and sixty six.

Taken from the file and referred to the Committee on Agriculture, and ordered printed.

Senate Bill No. 5—An Act to amend an Act entitled an Act to provide for the incorporation of railroad companies and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one.

Taken from the file and referred to the Judiciary Committee, and ordered printed.

Senate Bill No. 6—Proposed amendment to the Constitution of the State of California.

Taken from the file and referred to the Judiciary Committee, and ordered printed.

Senate Bill No. 7—An Act to repeal an Act entitled an Act to protect litigants, approved March twenty-ninth, eighteen hundred and seventy.

Taken from the file and referred to the Judiciary Committee.

Senate Bill No. 8—An Act to enable the inhabitants of territory adjacent to any city in this State to annex the same thereto.

Taken from the file and referred to the Judiciary Committee, and ordered printed.

Senate Bill No. 9—An Act to repeal an Act entitled an Act to prevent double taxation, approved April first, eighteen hundred and seventy.

Also, an Act entitled an Act to relieve owners of encumbered real estate from double taxation, approved April fourth, eighteen hundred and seventy.

Taken from the file and referred to the Committee on State and County Revenue.

Senate Bill No. 10—An Act to legalize, ratify, and confirm deeds of conveyance and grants of land made by the municipal authorities of the City of San Diego.

Taken from the file and referred to the San Diego delegation.

Senate Bill No. 11—Proposed amendment to the Constitution of the State of California.

Taken from the file and referred to the Judiciary Committee, and ordered printed.

On motion of Mr. Fowler, Senate Bill No. 1—An Act to repeal an Act entitled an Act to empower the Board of Supervisors of the several counties of the State to aid in the construction of a railroad in their respective counties, approved April fourth, eighteen hundred and seventy—was taken from the table and referred to the Judiciary Committee.

RESOLUTIONS.

By Mr. Betge:

Resolved, That the Sergeant at Arms of the Senate be and he is hereby authorized to appoint two Porters for the committee rooms, at a per diem of four dollars, to be paid out of the Contingent Fund of the Senate.

Referred to the Committee on Contingent Expenses.

On motion of Mr. Evans, the Sergeant at Arms was instructed to furnish six weekly papers as equivalent to one daily.

On motion of Mr. Larkin, the Sergeant at Arms was instructed to furnish the Secretary, Assistant Secretary, Sergeant at Arms, and Assistant Sergeant at Arms with the usual number of newspapers.

On motion of Mr. Larkin, the resolution introduced by him on yesterday—Relative to education—was taken from the table and referred to the Committee on Education.

On motion of Mr. Irwin, the vote, by which the resolution was referred to the Committee on Education, was reconsidered.

On motion of Mr. Keys, the word "instructed" was stricken out of the resolution and the word "requested" inserted in lieu thereof.

On motion of Mr. Irwin, the resolution, as amended, was adopted and referred to the Committee on Education.

REPORT.

Mr. Banvard, from the Committee on Mileage, made the following report:

SENATE CHAMBER,
December 12th, 1871.

The Committee on Mileage would respectfully report the following amounts due the several Senators for mileage as allowed by law:

Names.	Miles.	Amount.
Andross	230	$46 00
Banvard	140	28 00
Beck	416	83 20
Betge	234	46 80
Boggs	170	34 00
Boucher	175	35 00
Comte		
Crane	164	32 80
De Haven	780	156 00
Duffy		
Dyer	174	35 80
Evans	90	18 00
Farley	110	22 00
Finney	335	67 00
Fowler	500	100 00
Garratt	234	46 80
Goodale	274	55 80
Gwin	150	30 00
Hutchings	100	20 00
Irwin	700	140 00
Kent	138	27 60
Keys	150	30 00
Larkin	110	22 00
Maclay	300	60 00
McCoy	1,500	300 00
McKusick	140	28 00
McMurry	510	102 00
Minis	40	8 00
Neff	70	14 00
O'Connor	130	26 00
Oulton	234	46 80
Pendegast	120	24 00
Perkins	150	30 00
Tompkins	270	55 20
Turner	280	56 00
Tuttle	260	52 00
Van Ness	670	134 00
Wand	234	46 80
Wilson	1,100	220 00
Wing	230	46 00

BANVARD,
WILSON,
WING,
} Committee.

At twelve o'clock and ten minutes P. M., on motion of Mr. Maclay, the Senate adjourned.

J. T. FARLEY,
President pro tem.

ROBERT FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Wednesday, December 13th, 1871.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

RESOLUTION.

Mr. Banvard had leave to introduce the following resolution:

Resolved, That the report of the Committee on Mileage, made to the Senate yesterday, be amended so as to read: Mr. McCoy, "one thousand five hundred," instead of "one thousand three hundred miles," and "three hundred dollars," instead of "two hundred and sixty dollars."

Adopted.

REPORT.

By Mr. McMurry:

Mr. PRESIDENT: The Committee on Contingent Expenses have had under consideration a resolution allowing the Sergeant at Arms to appoint porters for the committee rooms, and report the same back with a recommendation that it pass.

McMURRY, Chairman.

Adopted.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
December 13th, 1871.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the ninth instant, adopted Assembly Concurrent Resolution No. 3—Relative to instructing Sergeant at Arms of each House to furnish the Governor with copies of all printed bills—and respectfully ask the concurrence of the Senate in said resolution.

Also, on the twelfth instant, concurred in Senate Concurrent Resolution No. 4—Instructing the Joint Committee on Inauguration Ceremonies to incur expenses, and to provide for the payment of the same.

G. W. DIXON, Assistant Clerk.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Larkin—An Act to provide for the payment of certain indebtedness against the State.

Read first and second times and referred to the Committee on Claims.

By Mr. Wand—An Act to create a Board of Public Works in the City and County of San Francisco.

Read first and second times and referred to the San Francisco delegation, and four hundred and eighty copies ordered printed.

RESOLUTIONS.

Mr. Pendegast offered the following resolutions:

Resolved, That Messrs. Crane and Keys be and they are hereby added to the Committee on Mines and Mining Interests.

Resolved, That Messrs. Maclay, Gwin, Hutchings, Wilson, and Wing, be and they are hereby appointed the Standing Committee on Corporations.

Resolved, That Messrs. Duffy, Tompkins, and O'Connor be and they are hereby appointed the Standing Committee on State Library.

Resolved, That Messrs. Beige, Pendegast, Comte, Duffy, and Finney be and they are hereby appointed the Standing Committee on Commerce and Navigation.

Resolved, That Messrs. Irwin, McCoy, Dyer, De Haven, and Banvard be and they are hereby appointed the Standing Committee on Public Printing.

Resolved, That Messrs. Evans, Beige, Maclay, Neff, and Van Ness be and they are hereby appointed the Standing Committee on Military Affairs.

Resolved, That Messrs. Comte, Kent, Minis, Beck, and Boucher be and they are hereby appointed the Standing Committee on Roads and Highways.

Resolved, That Messrs. Minis, Boggs, Kent, Hutchings, and Andross be and they are hereby appointed the Standing Committee on Swamp, Overflowed, and Tide Lands.

Resolved, That Messrs. Van Ness, Farley, Garratt, Boucher, and Irwin be and they are hereby appointed the Standing Committee on Public Morals.

Resolved, That Messrs. Pendegast, Turner, Boggs, Farley, and Perkins be and they are hereby appointed the Standing Committee on Counties and County Boundaries.

Adopted.

By Mr. McKusick:

Joint resolution relative to restoring the public lands within the twenty mile limits of the Placerville and Sacramento Valley Railroad to homestead and preëmption.

Read first and second times and referred to Committee on Public Lands.

By Mr. Farley:

Resolved, That the sum of thirty dollars be and is hereby allowed to the Rev. William R. Gober for services as Chaplain during the organization of the Senate, and that the same be paid out of the Contingent Fund of the Senate.

By Mr. Pendegast:

Resolved, That Mr. Turner be and he is hereby added to the Judiciary Committee.

Adopted.

By Mr. Betge:

Resolved, That two hundred and forty copies of the Standing Rules of the Senate and Joint Rules of both Houses, including the officers of the Senate and Standing Committees of the Senate, be printed.

Adopted.

APPOINTMENTS.

The President of the Senate announced the following appointments:

Post Office Page, John T. Flemming.
Paper Folder, Miguel Smith.
Pages, Millard Dumont and G. Levin.
Porters, Clark Stringham and Joshua Webb.

NOTICE.

Mr. Farley gave notice that he would at an early day introduce a bill to define the powers, rights, and privileges of foreign corporations.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, December ——, 1871.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have appointed Albert Hart Private Secretary to the Governor.

All official communications that I shall have to make to your honorable body will be made through him.

NEWTON BOOTH, Governor.

RESOLUTION.

Mr. Tuttle had leave to introduce the following resolution:

Resolved, That when the Senate adjourns to-day, it adjourn to meet to-morrow at two o'clock P. M., as a tribute of respect to the memory of the late Senator Burnett of Sonoma.

Adopted.

At eleven o'clock and forty minutes A. M., on motion of Mr. Minis, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Thursday, December 14th, 1871.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

REPORTS.

By Mr. Tuttle:

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 3—An Act to establish and define the duties of the Board of Education of the City of Petaluma—have had the same under consideration, and herewith report the bill back and recommend its passage.

TUTTLE, Chairman.

On motion of Mr. Tuttle, the rules were suspended, bill considered engrossed, read a third time and passed.

By Mr. Banvard:

The Committee of the Senate on Mileage would further report, that the Lieutenant Governor, Hon. R. Pacheco, is entitled to mileage as follows, viz: eight hundred and seventy miles, one hundred and seventy-four dollars.

BANVARD, Chairman.

Adopted.

By Mr. Perkins:

MR. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 12—An Act to provide for the payment of certain indebtedness against the State—would respectfully report that they have carefully considered the same, and report it back and recommend its passage.

PERKINS, Chairman.

On motion of Mr. Comte, the rules were suspended, bill considered engrossed, read a third time and passed.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Finney—An Act to fix the salary of the County Judge of San Mateo County.

Read first and second times and referred to the San Mateo delegation.

By Mr. Betge—An Act to create the office and define the duties of State Forester, and to encourage the culture of forest and timber trees.

Read first and second times and referred to the Committee on Agriculture, and four hundred and eighty copies ordered printed.

By Mr. Wilson—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Read first and second times and referred to the Judiciary Committee.

By Mr. Farley—An Act to encourage the investment of foreign capital in the State of California.

Read first and second times and referred to the Judiciary Committee.

By Mr. Perkins—An Act to amend an Act entitled an Act defining the time for commencing civil actions.

Read first and second times and referred to the Judiciary Committee.

By Mr. Wilson—An Act to amend section four hundred and ninety-five, Chapter LIX, to regulate civil proceedings in civil cases in the Courts of justice in this State, approved April twenty ninth, eighteen hundred and fifty-one.

Read first and second times and referred to the Judiciary Committee.

Also, an Act to amend an Act entitled an Act in relation to personal mortgages in certain cases, approved May eleventh, eighteen hundred and fifty-three.

Read first and second times and referred to the Judiciary Committee.

By Mr. Evans—An Act to fix the salary of the County Judge of the County of San Joaquin.

Read first and second times and referred to the San Joaquin delegation.

By Mr. McCoy—An Act to fix the salary of the County Judge of the County of San Diego.

Read first and second times and referred to the San Diego delegation.

Also, an Act to cede certain lands to the City of San Diego.

Read first and second times and referred to the Committee on Commerce and Navigation.

By Mr. Wand—An Act to regulate the elections of voluntary political associations and parties in the City and County of San Francisco, and to secure a fair expression of the choice of such associations and parties in the nomination of candidates.

Read first and second times and referred to the San Francisco delegation.

By Mr. Wing—An Act to amend an Act entitled an Act to authorize and direct the municipal authorities of the several cities and incorporated towns of this State to execute certain trusts in relation to the town lands granted to the incorporated cities and towns in this State, by the Act of Congress entitled an Act for the relief of the inhabitants of cities and towns upon the public lands, approved March second, eighteen hundred and sixty-seven, approved March twenty-fourth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Committee on Public Lands.

Also, an Act to define and establish the boundary line of the City of Sonora.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Pendegast—An Act to appropriate money for contingent expenses of the Legislature at its eighteenth session.

Read first and second times and referred to the Committee on Contingent Expenses.

By Mr. Wilson—An Act to prevent the capture and destruction of mocking birds in Los Angeles County, in this State.

Read first and second times and referred to the Committee on Agriculture.

PETITION.

Mr. Evans presented a petition from citizens of the City of Stockton, relative to the salary of the County Judge of the County of San Joaquin.

Referred to the San Joaquin delegation.

RESOLUTIONS.

Resolutions were introduced as follows:

By Mr. Farley:

Resolved, That the sum of twenty cents per folio be and the same is hereby allowed for writing up the Senate Appendix of the eighteenth session.

Read and referred to the Committee on Contingent Expenses.

By Mr. Tompkins:

Resolved, That the Committee on Judiciary of the Senate be authorized to employ a clerk, at the same per diem allowed to the Assistant Secretary, to be paid out of the appropriation for the Contingent Fund of the Senate.

Adopted.

By Mr. Evans:

Resolved, That the Sergeant at Arms be and he is hereby authorized to receipt to the Controller of State for all warrants for per diem and mileage of the Lieutenant Governor and members of the Senate, and for the per diem of officers and attachés of the Senate.

Adopted.

By Mr. Larkin:

Resolved, That Hiram Clock be appointed Messenger Porter of the Senate, at the same per diem as other Porters, the same to date from commencement of the session.

Adopted.

By Mr. Irwin:

Resolved, That committees be and they are hereby instructed to report back to the Senate all bills referred to them within fifteen days of the date of their reference, unless by a vote of the Senate a bill be allowed to be retained by a committee for a longer period.

Read and laid over for one day.
By Mr. Beck:

Resolved, That the Sergeant at Arms be and he is hereby directed to furnish the Assistant Secretaries and Assistant Sergeant at Arms with the usual amount of postage stamps and express envelops.

Adopted.
By Mr. McKusick:

Resolved, That the Sergeant at Arms of the Senate be and he is hereby directed to furnish officers and clerks of the Senate, and reporters of the public press who have seats assigned them in the Senate, with such stationery and other writing material as they may require.

Adopted.

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, December, 1871.

To the Senate of the State of California:

I herewith transmit to your honorable body the report of the Petaluma Society for the Prevention of Cruelty to Animals.

As there is but one copy of the document, I respectfully ask that the Assembly be informed of its receipt.

NEWTON BOOTH, Governor.

ADJOURNMENT.

The Senate having yesterday adjourned until this day at two o'clock P. M. out of respect to the memory of the late Senator William Burnett, remarks eulogistic to his memory were made by Messrs. Pendegast, Tompkins, Maclay, Wand, Irwin, and Fowler.

Whereupon the following resolution was introduced by Mr. Pendegast:

Resolved, That the roll be now called upon the question of adjournment, and that each Senator shall, when his name is called, rise in his place and announce his vote.

Adopted.

In pursuance of the above resolution, the roll was called, with the following result:

AYES—Messrs. Andross, Banvard, Beck, Betge, Boggs, Boucher, Comte, Crane, De Haven, Dyer, Farley, Finney, Fowler, Garratt, Goodall, Gwin, Hutchings, Irwin, Kent, Keys, Larkin, Maclay, McCoy, McKusick, McMurry, Minis, Neff, O'Connor, Oulton, Pendegast, Perkins, Tompkins, Turner, Tuttle, Wand, Wilson, and Wing—37.

NOES—None.

At three o'clock and fourteen minutes P. M. the President declared the Senate adjourned.

J. T. FARLEY,
President pro tem.

ROBERT FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Friday, December 15th, 1871.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

REPORT.

Mr. Evans verbally reported back Senate Bill No. 17—An Act to fix the salary of the County Judge of the County of San Joaquin—and recommended its passage.

On motion of Mr. Irwin, the bill was referred to the Judiciary Committee.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Wand—An Act to provide for the ascertainment, liquidation, and payment of certain indebtedness of the State.

Read first and second times and referred to the Committee on Claims.

By Mr. Tompkins—An Act to provide for the Institution for the Deaf and Dumb, and the Blind.

Read first and second times and referred to the Finance Committee.

RESOLUTIONS.

By Mr. Banvard:

Resolved, That there be and is hereby allowed the Hon. Wm. Holden, ex-Lieutenant Governor, for services in organizing the Senate, the following amounts, viz:

Seven days per diem	$84 00
Mileage, 420 miles	84 00
	$168 00

Adopted.
By Mr. Garratt:

Resolved, That the amount of fifty-six dollars be hereby appropriated out of the Contingent Fund for the payment of the San Francisco *News Letter* for papers ordered by the Sergeant at Arms of last session by the order of the members thereof.

Bill and vouchers accompanying the same.
Referred to the Committee on Contingent Expenses.
By Mr. Larkin:

Resolved, That all resolutions authorizing appropriations from the Contingent Fund of the Senate be referred to the Committee on Contingent Expenses, without debate.

Adopted.
By Mr. Larkin:

Resolved, by the Senate, the Assembly concurring, That a joint committee of three members of each House be appointed to examine into the affairs of the University of California, and to report to the Legislature at as early a day as possible.

Adopted.
By Mr. Tuttle:

Resolved, That the sum of five hundred dollars, to be paid out of the appropriations for contingent expenses of the Senate, be paid to the widow of the late Senator William Burnett, to reimburse her for the expenses attending the funeral of the late Senator.

Referred to the Judiciary Committee.
By Mr. Fowler:

Resolved, That the Secretary of the Senate be and he is hereby authorized to appoint one Assistant Clerk at the desk, to receive the same per diem as Copying Clerks, payable out of the Contingent Fund of the Senate.

Referred to the Committee on Contingent Expenses.
By Mr. McCoy:

Concurrent resolution relative to instructing our Senators in Congress, and requesting our Representatives, to use all proper efforts to have the City of San Diego declared and made a port of entry.

Read and referred to the Committee on Federal Relations.

By Mr. Van Ness:

Resolved, That the Sergeant at Arms be and he is hereby directed to furnish the Journal Clerk of the Senate with the usual amount of postage stamps and express envelopes.

Referred to the Committee on Contingent Expenses.
By Mr. Larkin:

Resolved, That by and with the consent of the Committee on Engrossment of the Senate, the Engrossing Clerk be and he is hereby authorized to appoint an Assistant Engrossing Clerk, at the same per diem as allowed the Copying Clerk, payable out of the appropriation for Contingent Fund of the Senate.

Read and referred to the Committee on Contingent Expenses.
By Mr. Banvard:

Resolved, That Oscar Marshall be and is hereby appointed as day Watchman of the Senate, at a per diem of four dollars, to be paid out of the Contingent Fund of the Senate.

Referred to the Committee on Contingent Expenses.
By Mr. McCoy:

Concurrent resolution relative to instructing our Senators in Congress and requesting our Representatives to secure an appropriation from Congress for the purpose of having the course of the San Diego River changed from its present river bed and outlet in San Diego Bay.

Read and referred to the Committee on Federal Relations.
By Mr. Fowler:

Resolved, That the Sergeant at Arms be instructed to purchase ten volumes of Hittell's Digest, for the use of the committees of this Senate.

Referred to the Committee on Contingent Expenses.
By Mr. Pendegast:

Resolved, That Messrs. Quilton and Van Ness be and they are hereby added to the Committee on Corporations.

Adopted.

The President of the Senate presented certain documents in the matter of the contested election case of Thomas Flint vs. Thomas Beck.

On motion of Mr. Finney, the documents were referred to the Committee on Elections.

Mr. Duffy was granted one day's leave of absence.

On motion of Mr. O'Connor, the resolution introduced yesterday by Mr. Irwin—amending Rule 18 of the Standing Rules of the Senate—was taken up and adopted.

At eleven o'clock and forty-five minutes A. M., on motion of Mr. Maclay, the Senate adjourned.

J. T. FARLEY,
President pro tem.

ROBERT FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Saturday, December 16th, 1871.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Mr. Duffy was granted indefinite leave of absence.

REPORTS.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 3—An Act to establish and define the duties of the Board of Education of the City of Petaluma.

Also, Senate Bill No. 12—An Act to provide for the payment of certain indebtedness against the State.

Also, Senate Bill No. 25—An Act to define and establish the boundary line of the City of Sonora.

TUTTLE, for Committee.

By Mr. McCoy:

Mr. PRESIDENT: The San Diego delegation, to whom was referred Senate Bill No. 10—An Act to legalize, ratify, and confirm conveyances and grants of land made by the municipal authorities of the City of San Diego—have examined said bill, and respectfully report the same back and recommend its passage.

McCOY, for Delegation.

On motion of Mr. Minis, Senate Bill No. 10, above reported, was referred to the Committee on Swamp, Tide, and Overflowed Lands.

By Mr. Tompkins:

Mr. PRESIDENT: The Committee on Judiciary have had under consideration Senate Bill No. 17—An Act to fix the salary of the County Judge of the County of San Joaquin—and report the same back, and

recommend its indefinite postponment, because it is in violation of the Constitution of this State.

The report of the Judiciary Committee of the Senate of the seventeenth session, made upon a bill of like character, embodies the views of your committee. This report is as follows:

"Section fifteen of Article VI of the Constitution declares, 'That Justices of the Supreme Court, District Judges, and County Judges shall severally, at stated times during their continuance in office, receive for their services a compensation which shall not be increased or diminished during the term which they shall have been elected.' No question can be made that any attempt to increase or diminish the compensation after the judicial incumbent was actually installed in office would meet the express prohibition of the Constitution. But it is claimed that such change may be made after the election and before the commencement of such judicial term. It is possible that the section in question may bear this construction; but it is very evident that the spirit and intent of the organic law would be clearly violated by such interpretation. It was doubtless intended to place judicial officers beyond the reach alike of partisan friendship or political enemies, and thus secure complete independence in this branch of the Government. This wise and beneficial policy would be utterly defeated were such applications favored by the Legislature."

TOMPKINS, Chairman.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Banvard—An Act to authorize the District Attorney of Placer County to appoint a deputy.

Read first and second times and referred to the Placer delegation.

Also, An Act making appropriations for the payment of William Sharp's bill of carpets, matting, etc., for the new Capitol.

Read first and second times and referred to the Committee on Claims.

By Mr. Finney—An Act to enforce the education of children.

Read first and second times and referred to the Committee on Education, and ordered printed.

By Mr. Garratt—An Act to amend an Act entitled an Act to define the duties and liabilities of pawnbrokers and pledgees.

Read first and second times and referred to the Judiciary Committee.

By Mr. Oulton—Proposed amendments to the Constitution of the State of California.

Read first and second times and referred to the Judiciary Committee.

By Mr. Wand—An Act amendatory of an Act entitled an Act to establish a quarantine for the Bay and Harbor of San Francisco, and sanitary laws for the City and County of San Francisco, approved April fourth, eighteen hundred and seventy.

Read first and second times and referred to the San Francisco delegation.

By Mr. Garratt—Proposed amendment to the Constitution of the State of California.

Read first and second times and referred to the Judiciary Committee.

By Mr. Conte—An Act making an appropriation for translating into Spanish the several State documents ordered during the eighteenth session of the Legislature of the State of California.

Read first and second times and referred to the Committee on Claims.

RESOLUTIONS.

Resolutions were introduced as follows:

By Mr. Banvard:

Resolved, That J. O'Connell and J. Farley be allowed three days extra pay for services rendered as Porters of the Senate, and the same be paid out of the appropriation for contingent expenses of the Senate.

On motion of Mr. Banvard, the rules were suspended and the resolution adopted.

By Mr. O'Connor:

Resolved, That the sum of thirty-two dollars be and the same is hereby paid to William Cronin out of the Contingent Fund of the Senate, for eight days services rendered by him as Porter of the Senate at its organization, and the Controller is hereby authorized to draw his warrant on the Treasurer therefor.

On motion of Mr. O'Connor, the rules were suspended and the resolution adopted.

By Mr. Evans:

Resolved by the Senate, the Assembly concurring, That there be printed six thousand copies of Governor Haight's second biennial message, as follows: five thousand in English and one thousand in Spanish; and that the same number of the inaugural address of Governor Booth be printed, and in the same proportion.

On the adoption of the resolution, the ayes and noes were demanded by Messrs. O'Connor, Neff, and Larkin, and the Senate so ordered by the following vote:

AYES—Messrs. Andross, Banvard, Betge, Boggs, Boucher, Comte, Crane, Dyer, Evans, Farley, Garratt, Irwin, Kent, Keys, Larkin, Maclay, McCoy, McKusick, McMurry, Minis, Pendegast, Perkins, Tuttle, Van Ness, Wand, and Wing—26.

NOES—Messrs. Beck, De Haven, Finney, Fowler, Goodale, Hutchings, Neff, O'Connor, Oulton, Tompkins, Turner, and Wilson—12.

By Mr. Pendegast:

Resolved, That when the Senate adjourns this day it adjourn until next Monday, at two o'clock P. M.

Adopted.

By Mr. Irwin:

Resolved, That the second biennial message of Governor H. H. Haight to the Legislature of California be and the same is hereby referred to committees as follows:

So much of said message as relates to the financial condition of the State, to the Committee on Finance.

What relates to the Secretary of State, to the Committee on Contingent Expenses.

What relates to the Attorney General, to the Judiciary Committee.

What is said on the "Purity of Elections," to the Committee on Elections.

What relates to the Surveyor General, to the Committee on Public Lands.

What relates to Common Schools, to the Committee on Education.

What is said on the subject of the Militia, to the Committee on Military Affairs.

On the subject of the State Prison, to the Committee on State Prison and Prison Buildings.

What relates to the Insane Asylum and the Asylum for the Deaf, Dumb, and the Blind, to the Committee on State Hospitals.

That which is said on the subject of the Tide Lands, to the Committee on Swamp, Overflowed, and Tide Lands.

What is said on the subject of the State Harbor Commissioners, to the Committee on Commerce and Navigation.

What is said on the subject of the State University and Geological Survey, to the Committee on Education.

What is said on the subject of the State Capitol, to the Committee on Public Buildings.

What is said on the subject of the revision of the statutes, to the Judiciary Committee.

What is said on the subject of corporations, to the Committee on Corporations.

What is said on the subject of apportionment, to the Committee on Elections.

What is said on the subject of the State Board of Health, to the Committee on Hospitals.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
December 16th, 1871.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twelfth instant, adopted Assembly Concurrent Resolution No. 4—Relative to printing in Spanish the reports of Controller, Treasurer, Surveyor General, and Superintendent of Public Instruction.

Also, on the twelfth instant, concurred in Senate Concurrent Resolution No. 5—Relative to furnishing the State Librarian with copies of bills.

Also, on the fifteenth instant, adopted Assembly substitute for Senate Concurrent Resolution No. 6—Relative to Joint Committee on Revision of the Code—and respectfully ask the concurrence of the Senate in the adoption of the substitute.

DIXON,
Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Concurrent Resolution No. 4, above reported, was concurred in and adopted.

Assembly substitute for Senate Concurrent Resolution No. 6, above reported, was referred to the Judiciary Committee.

At eleven o'clock and fifty-five minutes A. M., on motion of Mr. Neff, the Senate adjourned.

J. T. FARLEY,
President pro tem.

ROBERT FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Monday, December 18th, 1871.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of Saturday read and approved.

LEAVE OF ABSENCE.

Mr. O'Connor was granted leave of absence for two days, and Messrs. Garratt, Oulton, and Gwin for one day each.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Wing—An Act authorizing and empowering the Supervisors of the County of Inyo to sell certain real estate belonging to said county.

Read first and second times and referred to the Tuolumne delegation.

MOTIONS AND RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Dyer:

Resolved, That the Sergeant at Arms of the Senate be empowered to purchase the necessary stationery for the use of this body during the present session.

Referred to the Committee on Contingent Expenses.

By Mr. Wilson:

Resolved, That the Committee on Agriculture and the Committee on Public Lands be authorized to appoint a clerk, who shall serve for both said committees, at a per diem of five dollars, payable out of the Contingent Fund of the Senate.

Referred to the Committee on Contingent Expenses.

By Mr. Farley:

Resolved by the Senate, the Assembly concurring, That a Committee of three from each House be appointed to receive proposals for translating into Spanish the laws of the present session of the Legislature.

On motion of Mr. Farley, the rules were suspended and the resolution adopted.

By Mr. Banvard:

Resolved by the Senate, the Assembly concurring, That the Sergeants at Arms of the Senate and Assembly be instructed to forward to the Resident Physician of the Insane Asylum, for distribution, copies of the report of said Resident Physician, as follows, viz: the Sergeant at Arms of the Senate, one hundred copies; and the Sergeant at Arms of the Assembly, two hundred copies.

Adopted.

On motion of Mr. Tompkins, the report of the Judiciary Committee on Senate Bill No. 17 was recommitted to the Judiciary Committee.

At two o'clock and thirty minutes P. M., on motion of Mr. Turner, the Senate adjourned.

J. T. FARLEY,
President pro tem.

ROBERT FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Tuesday, December 19th, 1871.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

REPORTS.

Reports were made as follows:

By Mr. Banvard:

Mr. PRESIDENT: You special committee, the Placer delegation, to

whom was referred Senate Bill No. 31—An Act to authorize the District Attorney of Placer County to appoint a deputy—have had the same under consideration, and report it back and respectfully recommend its passage.

BANVARD, for Delegation.

On motion of Mr. Banvard, the rules were suspended and Senate Bill No. 31, above reported, was considered engrossed, read a third time and passed.

EXECUTIVE COMMUNICATION.

The President of the Senate presented a communication from Hon. L. R. Bradley, Governor of the State of Nevada, with accompanying Senate Joint Resolution of the State of Nevada, asking the State of California to cede the territory east of the summit of the Sierras to Nevada.

Referred to the Judiciary Committee.

INTRODUCTION OF BILLS.

By Mr. Pendegast—An Act for the relief of Henry Kohn.

Read first and second times and referred to the Committee on Claims.

By Mr. Wand—An Act for the relief of James M. Kane.

Read first and second times and referred to the San Francisco delegation.

By Mr. Boggs—An Act to repeal an Act entitled an Act to incorporate the Town of Colusa, approved April fourth, eighteen hundred and seventy.

Read first and second times and referred to the Colusa delegation.

By Mr. Oulton—An Act to create the ——— Judicial District.

Read first and second times and referred to the Judiciary Committee.

RESOLUTIONS.

By Mr. Oulton:

Resolved, That to-day at twelve o'clock, meridian, the Senate do proceed, in accordance with an Act of Congress entitled an Act to regulate the time and manner of holding elections for Senators in Congress, approved July twenty-fifth, eighteen hundred and sixty-six, to elect a person to represent the State of California in the Senate of the United States for the term of six years from and after the expiration of the term of office of the Honorable Cornelius Cole, present incumbent.

Adopted.

By Mr. Wand:

Resolved, That P. Connelly be and he is hereby appointed Assistant Journal Clerk of the Senate, at a per diem equal to that received by Copying Clerks, to be paid out of the appropriation for defraying the contingent expenses of the Senate.

Referred to the Committee on Contingent Expenses.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
December 18th, 1871.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the ninth instant, passed, under suspension of the rules:

Assembly Bill No. 6—An Act to provide for the erection of county buildings in the County of Mendocino.

Also, on the thirteenth instant, passed the following bills, under suspension of the rules:

Assembly Bill No. 28—An Act to appropriate money for the payment of officers and clerks of the Assembly.

Assembly Bill No. 20—An Act to authorize the Board of Supervisors of Solano County to levy an additional road tax.

Assembly Bill No. 10—An Act to regulate the fees of the Assistant City and County Attorney of the City and County of San Francisco.

Also, on the fourteenth instant:

Assembly Bill No. 1—An Act to repeal an Act entitled an Act to establish a public street in the City and County of San Francisco, to be called Montgomery Avenue, and to take private lands therefor.

Assembly Bill No. 14—An Act granting James H. Clark, County Superintendent of Public Instruction, leave of absence from the State.

Assembly Bill No. 37—An Act concerning street railroads in the City of Sacramento.

Also, on the fifteenth instant:

Assembly Bill No. 26—An Act to amend an Act entitled an Act concerning the distribution of the reports of the decisions of the Supreme Court and the statutes of this State, approved March third, eighteen hundred and sixty-six.

Also, this day adopted:

Assembly Concurrent Resolution No. 5—In reference to adjournment on Thursday, December twenty first, until Thursday, January fourth, eighteen hundred and seventy-two.

BORUCK, Chief Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 6, above reported, was read first and second times and referred to the Mendocino delegation.

Assembly Bill No. 28, above reported, was read first and second times, rules suspended, bill read a third time, and passed.

Assembly Bill No. 20, above reported, was read first and second times, rules suspended, bill read a third time, and passed.

Assembly Bill No. 10, above reported, was read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 1, above reported, was read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 14, above reported, was read first and second times and referred to the Committee on Education.

Assembly Bill No. 37, above reported, was read first and second times and referred to the Committee on Corporations.

Assembly Bill No. 26, above reported, was read first and second times and referred to the Judiciary Committee.

Assembly Concurrent Resolution No. 5, above reported, was concurred in by the Senate.

ELECTION OF A UNITED STATES SENATOR.

At twelve o'clock M. the Senate, pursuant to a resolution adopted this day, proceeded to the election of a person to the office of United States Senator, to succeed Honorable Cornelius Cole, present incumbent.

By direction of the President, the Secretary read the first section of an Act of Congress approved July twenty-fifth, eighteen hundred and sixty six, as follows:

CHAPTER CCXIV.—*An Act to regulate the time and manner of holding elections for Senators in Congress.*

[Approved July 25, 1866.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Legislature of each State which shall be chosen next preceding the expiration of the time for which any Senator was elected to represent said State in Congress shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a Senator in Congress in the place of such Senator so going out of office in the following manner: each House shall openly, by a viva voce vote of each member present, name one person for Senator in Congress from said State, and the name of the person so voted for who shall have a majority of the whole number of votes cast in each House shall be entered on the Journal of each House by the Clerk or Secretary thereof; but if either House shall fail to give such majority to any person on said day that fact shall be entered on the Journal. At twelve o'clock, meridian, of the day following that on which proceedings are required to take place as aforesaid, the members of the two Houses shall convene in joint assembly, and the Journal of each House shall then be read, and if the same person shall have received a majority of all the votes in each House, such person shall be declared duly elected Senator to represent said State in the Congress of the United States; but if the same person shall not have received a majority of the votes in each House, or if either House shall have failed to take proceedings as required by this Act, the joint assembly shall then proceed to choose by a viva voce vote of each member present a person for the purpose aforesaid. And the person having a majority of all the votes of the said joint assembly, a majority of all the members elected to both Houses being present and voting, shall be declared duly elected; and in case no person shall receive such majority on the first day, the joint assembly shall meet at twelve o'clock, meridian, of each succeeding day during the session of the Legislature and take at least one vote, until a Senator shall be elected.

In accordance with the requirements of the section of the Act above quoted, the Secretary called the roll of the Senate, and each Senator present announced the name of the person for whom he voted, as follows:

Names.	W. T. Wallace.	A. A. Sargent.
Andross		1
Banvard	1	
Beck	1	
Betge	1	
Boggs	1	
Boucher		1
Comte	1	
Crane		1
De Haven		1
Duffy		1
Dyer		1
Evans		1
Farley	1	
Finney		1
Fowler	1	
Garratt		1
Goodale		1
Gwin	1	
Hutchings	1	
Irwin	1	
Kent		1
Keys	1	
Larkin	1	
Maclay	1	
McCoy	1	
McKusick		1
McMurry	1	
Minis	1	
Neff		1
O'Connor		
Oulton		1
Pendegast	1	
Perkins		1
Tompkins		1
Turner		1
Tuttle	1	
Van Ness	1	
Wand	1	
Wilson	1	
Wing		1
Totals	21	18

The whole number of Senators present, and who voted, was thirty-nine.

Whereof twenty-one Senators (being a majority of those present) voted for William T. Wallace, as Senator from California to succeed the Honorable Cornelius Cole in the Senate of the United States on the expiration of his term of office.

REPORT.

By Mr. Larkin:

Mr. PRESIDENT: The Committee on Contingent Expenses, to whom was referred the resolution authorizing the Engrossing Clerk of the Senate to appoint an Assistant Engrossing Clerk, by and with the consent of the Committee on Engrossment, would report the same back and recommend its passage.

LARKIN, for Committee.

On motion, the report was adopted.

At twelve o'clock and ten minutes P. M., on motion of Mr. Fowler, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Wednesday, December 20th, 1871.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

PETITION.

The following petition was presented:

By Mr. Garratt—From citizens of the City of San Francisco for an amendment to Article IV of the Constitution of the State of California.

Referred to the Judiciary Committee.

REPORTS.

Reports were made as follows:

By Mr. Neff:

Mr. PRESIDENT: Your Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 31—An Act to authorize the District Attorney of Placer County to appoint a deputy.

NEFF, for Committee.

By Mr. McMurry:

Mr. PRESIDENT: The Committee on Contingent Expenses, to whom

was referred a resolution appointing an Assistant Journal Clerk, have had the same under consideration, and report the same back and recommend that it pass.

McMURRY, Chairman.

On motion of Mr. O'Connor, the words "same as allowed Copying Clerks," were stricken out, and "eight dollars per day" inserted in lieu thereof.

On motion of Mr. Larkin, the resolution as amended was adopted, to take effect January fourth, eighteen hundred and seventy two.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
December 19th, 1871.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this nineteenth day of December, passed Senate Bill No. 12—An Act to provide payment of certain indebtedness against the State.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
December 18th, 1871.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, this day, amended and concurred in Senate Concurrent Resolution No. 10—Relative to printing the second Biennial message of Governor Haight and the inaugural of Governor Booth.

Also, on this day, passed Assembly Concurrent Resolution No. 6—Relative to the City Hall Commissioners.

BORUCK, Chief Clerk.

ASSEMBLY CHAMBER,
December 19th, 1871.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the nineteenth instant, instructed me to inform your honorable body that the Assembly voted for United States Senator, in accordance with Act of Congress; that Mr. A. A. Sargent, of Nevada, received fifty-four (54) votes, and Mr. William T. Wallace, of Santa Clara, received twenty-four (24) votes; also, authorized me to request the Senators to meet in the Assembly Chamber in joint convention at the hour of twelve M., December twentieth, eighteen hundred and seventy-one, for the purpose of electing a successor to the present incumbent, Cornelius Cole, United States Senator.

BORUCK, Chief Clerk.

ASSEMBLY CHAMBER,
December 19th, 1871.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this nineteenth day of December, passed Senate Bill No.

3—An Act to establish and define the duties of the Board of Education of the City of Petaluma.

Also, on the nineteenth instant, passed, under a suspension of the rules, and ordered immediately transmitted to the Senate, Assembly Bill No. 66—An Act supplementary to an Act entitled an Act to provide for the incorporation of colleges, approved April twentieth, eighteen hundred and fifty.

Also, on the nineteenth instant, adopted Assembly Concurrent Resolution No. 7—Relative to the appointment of a committee of three from each House to receive and select proposals for translating the laws into Spanish—and the Speaker has appointed Messrs. Luttrell, Splivalo, and Hopper as such committee on the part of the Assembly, and respectfully ask the concurrence of the Senate.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Amendment to Senate Concurrent Resolution No. 10, above reported, Senate refused to concur in the amendment.

Assembly Concurrent Resolution No. 6, above reported, read and placed on file.

Assembly Bill No. 66, above reported, read first and second times, rules suspended, bill read third time and passed.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Neff—An Act to appropriate money to pay the claim of E. L. Brown.

Read first and second times, and with accompanying documents referred to the Committee on Claims.

By Mr. Boggs—An Act to amend an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Judiciary Committee.

RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Comte:

Resolved, That N. Benedict, the appointed Appendix Copying Clerk, whose duty shall be to write up the appendix to the Senate Journal during the session, at the per diem allowed Copying Clerks, be payable out of the appropriation for contingent expenses of the Senate.

Read and referred to the Committee on Contingent Expenses.

By Mr. Maclay:

Resolved, That the Committee on Corporations be authorized to appoint

a clerk, at a per diem of five dollars, payable out of the Contingent Fund of the Senate.

Referred to the Committee on Contingent Expenses.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
December 20th, 1871.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the fifteenth instant, passed Assembly Bill No. 22—An Act to incorporate the Town of Chico, Butte County.

Also, on the fifteenth instant, passed substitute for Assembly Bill No. 3—An Act to provide additional funds for the support of the common schools of Siskiyou County, for the school year commencing on the first day of July, eighteen hundred and seventy one, and ending on the thirteenth day of June, eighteen hundred and seventy two.

Also, on the fifteenth instant, passed Assembly Bill No. 48—An Act entitled an Act to authorize the School Trustees of Ukiah School District, in Mendocino County, to purchase school property.

Also, on the fifteenth instant, passed Assembly Bill No. 47—An Act to legalize the assessment of the taxes in the County of Santa Cruz.

Also, on the fifteenth instant, passed Assembly Bill No. 30—An Act in relation to the road tax of the County of Alameda collected within the City of Oakland.

Also, on the fifteenth instant, passed Assembly Bill No. 25—An Act to amend an Act entitled an Act concerning the Courts of justice of this State, and judicial officers, approved April twentieth, eighteen hundred and sixty-three.

Also, on the fifteenth instant, passed Assembly Bill No. 29—An Act granting leave of absence from the State to Thomas H. Bush, County Judge of San Diego County.

Also, on the fifteenth instant, passed Assembly Bill No. 50—An Act to separate the office of County Recorder from the office of County Clerk in the County of Mendocino.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Substitute for Assembly Bill No. 3, above reported, read first and second times, rules suspended, bill read a third time and passed.

Assembly Bill No. 22, above reported, read first and second times, rules suspended, bill read a third time and passed.

At twelve o'clock M. the Senate proceeded to meet the House in Joint Assembly, for the election of a United States Senator.

IN JOINT ASSEMBLY.

Pursuant to an Act of Congress entitled an Act to regulate the times and manner of holding elections for Senators in Congress, approved

July twenty-fifth, eighteen hundred and sixty-six, the Senate and Assembly met in Joint Assembly.

The Hon. Romualdo Pacheco, Lieutenant Governor and President of the Senate, and the Hon. Thomas B. Shannon, Speaker of the Assembly, presiding.

The roll of the Senate was called by the Secretary and the following members were present:

Messrs. Andross, Banvard, Betge, Beck, Boggs, Boucher, Comte, Crane, De Haven, Duffy, Dyer, Evans, Farley, Finney, Fowler, Garratt, Goodale, Gwin, Hutchings, Irwin, Kent, Keys, Larkin, Maclay, McCoy, McKusick, McMurry, Minis, Neff, O'Connor, Oulton, Pendegast, Perkins, Tompkins, Turner, Tuttle, Van Ness, Wand, Wilson, and Wing.

The roll of the Assembly was called by the Clerk and the following members were present:

Messrs. Aldrich, Andrews, Bacon, Baird, Barker, Barklage, Barnes, Bayley, Bell, Berry, Bradley, Bockius, Brown, Burckhalter, Caldwell, Center, Chalmers, Coleman, Connolly, Crane, Dannals, Days, De Haven, Edgar, Ellis, Everett, Franck, Freeman, French, Galloway, Gibson, Goodall, Gray, Harvey, Hayes, Henshaw, Hopper, James, Johnston, Jost, Lee, Little, Lofton, Long, Luttrell, Mathers, Meeker, Mott of Los Angeles, Mott of Sacramento, Munday, McCullough, Pardee, Rector, Reed, Rice, Russ, Sammons, Sargent of Santa Clara, Sargent of San Joaquin, Schrack, Seibe, Sensabaugh, Slaughter, Spencer, Splivalo, Stillwagon, Turner, Walker, Ward, Welty, Wheaton, Whiting, Whitney, Wilcox, Woodward, Wright, and Mr. Speaker.

The Secretary of the Senate read from the Journal of the Senate so much of the proceedings on Tuesday, December nineteenth—being the second Tuesday after the organization of the nineteenth session of the Legislature—as related to a ballot for the election of a United States Senator to succeed the Hon. Cornelius Cole, whereby it appeared that thirty-nine Senators were present and voted each his choice, and that W. T. Wallace, of San Jose, had received twenty-one votes, being a majority of all the votes cast.

The Clerk of the Assembly read so much of the Journal of the Assembly as related to the proceedings of that body in regard to the election of a United States Senator, held in accordance with the Act of Congress above referred to, and it appeared that seventy-eight members of the Assembly were present and voted each his choice, and that A. A. Sargent, of Nevada, had received a majority of all the votes cast.

The President directed the Secretary of the Senate to read the Act of Congress requiring the Joint Convention held this day. From the official publication it was read as follows:

CHAPTER CCXIV.—*An Act to regulate the time and manner of holding elections for Senators in Congress.*

[Approved July 25, 1866.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Legislature of each State which shall be chosen next preceding the expiration of the time

for which any Senator was elected to represent said State in Congress shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a Senator in Congress, in the place of such Senator so going out of office, in the following manner: each House shall openly, by a viva voce vote of each member present, name one person for Senator in Congress from said State, and the name of the person so voted for who shall have a majority of the whole number of votes cast in each House shall be entered on the Journal of each House by the Clerk or Secretary thereof; but if either House shall fail to give such majority to any person on said day that fact shall be entered on the Journal. At twelve o'clock, meridian, of the day following that on which proceedings are required to take place as aforesaid, the members of the two Houses shall convene in joint assembly, and the Journal of each House shall then be read, and if the same person shall have received a majority of all the votes in each House, such person shall be declared duly elected Senator to represent said State in the Congress of the United States; but if the same person shall not have received a majority of the votes in each House, or if either House shall have failed to take proceedings as required by this Act, the joint assembly shall then proceed to choose by a viva voce vote of each member present a person for the purpose aforesaid. And the person having a majority of all the votes of the said joint assembly, a majority of all the members elected to both Houses being present and voting, shall be declared duly elected; and in case no person shall receive such majority on the first day, the joint assembly shall meet at twelve o'clock, meridian, of each succeeding day during the session of the Legislature and take at least one vote until a Senator shall be elected.

SEC. 2. *And be it further enacted*, That whenever at the meeting of the Legislature of any State a vacancy shall exist in the representation of such State in the Senate of the United States, said Legislature shall proceed, on the second Tuesday after the commencement and organization of its session, to elect a person to fill such vacancy in the manner hereinbefore provided for the election of a Senator for a full term; and if a vacancy shall happen during the session of the Legislature, then on the second Tuesday after the Legislature shall have been organized and shall have notice of such vacancy.

SEC. 3. *And be it further enacted*, That it shall be the duty of the Governor of the State from which any Senator shall have been chosen as aforesaid, to certify his election, under the seal of the State, to the President of the Senate of the United States, which certificate shall be countersigned by the Secretary of State of the State.

NOMINATIONS FOR SENATOR.

Mr. Maclay nominated W. T. Wallace.

Mr. Days placed in nomination A. A. Sargent.

The Secretary of the Senate called the roll of the Senate, and each Senator present pronounced the name of the person for whom he voted, as follows:

Names.	Wallace.	Sargent.
Andross		1
Banvard	1	
Beck	1	
Betge	1	
Boggs	1	
Boucher		1
Comte	1	
Crane		1
De Haven		1
Duffy		1
Dyer		1
Evans		1
Farley	1	
Fowler	1	
Finney		1
Garratt		1
Goodale		1
Gwin	1	
Hutchings	1	
Irwin	1	
Keys	1	
Kent		1
Larkin	1	
Maclay	1	
McCoy	1	
McKusick		1
McMurry	1	
Minis	1	
Neff		1
O'Connor	1	
Oulton		1
Pendegast	1	
Perkins		1
Tompkins		1
Turner		1
Tuttle	1	
Van Ness	1	
Wand	1	
Wilson	1	
Wing		1
Totals	22	18

The Clerk of the Assembly called the roll of that body, and each member present announced the name of his choice for Senator, as follows:

Names.	Wallace.	Sargent.
Aldrich		1
Andrews	1	
Bacon		1
Baird		1
Barker		1
Barklage		1
Barnes		1
Bayley	1	
Berry	1	
Bell		1
Bradley		1
Bockius		1
Brown		1
Burckhalter	1	
Caldwell	1	
Center		1
Chalmers		1
Coleman		1
Connolly	1	
Cooper	1	
Crane		1
Dannals	1	
Days		1
De Haven		1
Edgar		1
Ellis	1	
Everett		1
Franck		1
Freeman		1
French		1
Galloway		1
Gibson	1	
Goodall		1
Gray		1
Harvey		1
Hayes		1
Henshaw	1	
Hopper		1
James		1
Johnston		1
Jost		1
Lee		1
Little	1	
Lofton		1
Long		1
Luttrell	1	
Mathers	1	

Names.	Wallace.	Sargent.
Meeker		1
Mott of Sacramento		1
Mott of Los Angeles	1	
McCullough		1
Munday	1	
Pardee		1
Reed		1
Rector	1	
Rice		1
Russ		1
Sammons		1
Sargent of Santa Clara		1
Sargent of San Joaquin		1
Schrack	1	
Sensabaugh	1	
Seibe		1
Slaughter	1	
Spencer		1
Splivalo		1
Stillwagon		1
Tinnin	1	
Turner		1
Walker	1	
Welty		1
Wheaton		1
Whitney		1
Whiting	1	
Wilcox	1	
Woodward		1
Wright		1
Mr. Speaker		1
Totals	24	54

The President announced the result of the ballot as follows:

Whole number of votes cast.....118
Necessary to a choice..... 60

W. T Wallace received forty-six votes.
A. A. Sargent received seventy-two votes.

A. A. Sargent, having received a majority of all the votes cast by the members of both Houses present and voting in Joint Assembly, was by the President declared duly elected to represent the State of California in the Senate of the United States for the term of six years from and after the expiration of the term of office of the Honorable Cornelius Cole.

JOINT COMMITTEE.

On motion of Mr. Kent, a committee of three from each House was appointed to wait upon A. A. Sargent, and inform him of his election.

The President announced as such committee, on the part of the Senate, Messrs. Kent, Irwin, and Van Ness.

The Speaker announced as such committee, on the part of the House, Messrs. Days, Luttrell, and Goodall.

Journal of Joint Assembly read and approved.

At twelve o'clock and forty-five minutes P. M., on motion of Mr. Neff, the Joint Assembly adjourned.

IN SENATE.

Senate reassembled at twelve o'clock and forty-seven minutes P. M.
President in the chair.
Roll called.
Quorum present.

ASSEMBLY MESSAGE.

The Senate resumed consideration of Assembly message.

Assembly Bill No. 78, above reported, read first and second times and referred to the Mendocino delegation.

Assembly Bill No. 47, above reported, read first and second times, rules suspended, bill read third time and passed.

Assembly Bill No. 36, above reported, read first and second times, rules suspended, bill read third time and passed.

Assembly Bill No. 25, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 29, above reported, read first and second times and referred to the San Diego delegation.

Assembly Bill No. 50, above reported, read first and second times and referred to the Mendocino delegation.

At one o'clock P. M., on motion of Mr. Minis, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Thursday, December 21st, 1871.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.
[President pro tem in the chair.]

PETITION.

By Mr. Wand—From citizens of San Francisco, for the repeal of an Act to provide for the establishment of a street in the City of San Francisco, to be known as Montgomery Avenue.

Read, and with accompanying documents, referred to the San Francisco delegation.

REPORTS.

Reports were made as follows:

By Mr. Fowler:

Mr. PRESIDENT: The Committee on Public Lands, to whom was referred Resolution No. 1, have examined the same, and report it back and recommend its passage.

FOWLER, Chairman.

By Mr. Perkins:

Mr. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 38—An Act making an appropriation for translating into Spanish the several State documents ordered translated during the eighteenth session—having had the same under consideration, respectfully report the bill back and recommend its passage.

PERKINS, Chairman.

By Mr. Hutchings:

Mr. PRESIDENT: Your committee to whom was referred Senate Bill No. 12, have examined and find it correctly enrolled, and presented the same to the Governor for his signature, at eleven o'clock and three minutes.

HUTCHINGS, Chairman.

By Mr. McMurry:

Mr. PRESIDENT: The Committee on Contingent Expenses, to whom was referred Senate Bill No. 26—An Act to appropriate money for contingent expenses of the Legislature at its eighteenth session—have had the same under consideration, and herewith report the same back and recommend that it pass.

McMURRY, Chairman.

Mr. PRESIDENT: The Committee on Contingent Expenses, to whom was referred a resolution allowing twenty cents per folio for writing up the Senate Appendix of the eighteenth session, have had the same under consideration, and herewith report the same back and recommend that it do not pass.

McMURRY, Chairman.

On motion of Mr. Farley, the resolution above reported was laid on the table.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, December 21st, 1871.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 12—An Act to provide for the payment of certain indebtedness against the State.

NEWTON BOOTH, Governor.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Oulton—An Act concerning the offices of Controller and Treasurer of State.

Read first and second times and referred to the Finance Committee.

By Mr. Pendegast—An Act to provide for the public printing in this State.

Read first and second times and referred to the Committee on Printing, and ordered printed.

RESOLUTIONS.

Resolved by the Senate, the Assembly concurring, That ten thousand copies of the report of the State Commissioner in Lunacy be printed.

Read and adopted under a suspension of the rules.

By Mr. Pendegast:

Resolved, That J. Carroll be and he is hereby appointed to regulate, attend to, and keep in order the heaters in the Senate committee rooms and chambers, at five dollars per diem, payable out of the Contingent Fund of the Senate.

Read and referred to the Committee on Contingent Expenses.

By Mr. Comte:

Resolved by the Senate, the Assembly concurring, That John Cunningham be and he is hereby appointed to raise the flag of the Capitol grounds during the present session of the Legislature, and to receive therefor a per diem of four dollars, to be paid out of the Contingent Fund of the two Houses.

Read and laid over one day.

GENERAL FILE.

Assembly Concurrent Resolution No. 6—Relative to the City Hall Commissioners.

Taken from the file and referred to the San Francisco delegation.

Assembly Concurrent Resolution No. 7—Relative to the appointment of a committee of three from each House to select proposals for translating the laws into Spanish.

Adopted.

On motion of Mr. Farley, Rule Nineteen of the Standing Rules of the

Senate was suspended, for the purpose of allowing the Lieutenant Governor to appoint the Committee on the translation of the laws of the nineteenth session of the Legislature into Spanish.

Senate Joint Resolution No. 1—Relative to restoring certain lands granted to the Sacramento and Placerville Railroad to homestead and preëmption purposes—was this day reported from the Committee on Public Lands.

Taken up and adopted.

Senate Bill No. 26—An Act to appropriate money for Contingent Expenses of the Legislature at its eighteenth session—was this day reported from the Committee on Contingent Expenses.

Rules suspended, bill read a third time, and passed.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
December 21st, 1871.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the eighteenth instant, passed Assembly Joint Resolution No. 6—Instructing our Senators and Representatives in Congress to urge the establishment of a mail route from Weaverville, Trinity County, to Trinity Center, Trinity County.

Also, on the eighteenth instant, passed Assembly Bill No. 63—An Act concerning certain officers in the County of Merced.

Also, on the eighteenth instant, passed Assembly Bill No. 65—An Act to authorize the executors of the last will and testament of John C. Keenan, deceased, to mortgage certain real estate of their testator.

Also, on the twentieth instant, passed Assembly Bill No. 77—An Act to authorize the Board of Supervisors of Mariposa County to levy an additional tax for county purposes.

Also, on the twentieth instant, passed Assembly Bill No. 78—An Act to amend an Act entitled an Act to amend an Act entitled an Act creating the office of Bailiff of the Supreme Court, approved April sixth, eighteen hundred and sixty-three, and March sixteenth, eighteen hundred and sixty-four.

Also, on the twentieth instant, passed Assembly Bill No. 81—An Act to amend an Act entitled an Act concerning County Judges.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Joint Resolution No. 6, above reported, read first and second times, rules suspended, resolution read third time, and adopted.

Assembly Bill No. 63, above reported, read first and second times, and referred to the Merced delegation.

Assembly Bill No. 65, above reported, read first and second times, rules suspended, bill read third time, and passed.

Assembly Bill No. 77, above reported, read first and second times and referred to the Mariposa delegation.

Assembly Bill No. 78, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 81, above reported, read first and second times and referred to the Judiciary Committee.

APPOINTMENT OF COMMITTEE.

The President announced the appointment of Messrs. Farley, Evans, and Van Ness as the committee on the part of the Senate in relation to the translation of the laws of the nineteenth session into Spanish.

At twelve o'clock and twenty-five minutes P. M., on motion of Mr. Fowler, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Thursday, January 4th, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of Thursday, December twenty-first, eighteen hundred and seventy-one, read and approved.

LEAVE OF ABSENCE.

Messrs. Oulton and Gwin were granted leave of absence for one day each.

REPORTS.

Reports were made as follows:

By Mr. Hutchings:

Mr. PRESIDENT: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 3—An Act to establish and define the duties of the Board of Education of the City of Petaluma.

Also, Senate Bill No. 25—An Act to define and establish the boundary line of the City of Sonora.

And presented the same to the Governor for his signature, at two o'clock and seven minutes P. M.

HUTCHINGS, Chairman.

By Mr. Pendegast:

Mr. PRESIDENT: The Mendocino delegation, to whom was referred Assembly Bill No. 50—An Act to separate the office of County Recorder

from the office of County Clerk in the County of Mendocino—report the same back and recommend its passage.

PENDEGAST, for Delegation.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly;

ASSEMBLY CHAMBER,
December 21st, 1871.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this twenty-first day of December, passed Senate Bill No. 25—An Act to define and establish the boundary line of the City of Sonora.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
January 4th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty first of December, eighteen hundred and seventy one, refused to recede from its amendment to Senate Concurrent Resolution No. 10, relative to printing second biennial message of Governor Haight and inaugural of Governor Booth, and appointed a Committee of Conference, consisting of Messrs. Splivalo, Jost, and Andrews, on the part of the House.

Also, on the twentieth of December, eighteen hundred and seventy-one, concurred in Senate Concurrent Resolution No. 12, relative to distributing copies of report of Resident Physician of the Insane Asylum.

Also, on December twentieth, eighteen hundred and seventy one, concurred in Senate Concurrent Resolution No. 11, relative to translating the laws of the present session into Spanish.

Also, on December twenty-first, eighteen hundred and seventy-one, concurred in Senate Concurrent Resolution No. 13, relative to printing copies of the report of the Commissioner in Lunacy.

BORUCK, Chief Clerk.

[Mr. Irwin in the chair.]

CONSIDERATION OF ASSEMBLY MESSAGE.

On motion of Mr. Betge, the rules were suspended and the President appointed, as a Committee of Conference on Senate Concurrent Resolution No. 10, Messrs. Betge, Evans, and McMurry.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. De Haven—Proposed amendment to section eight, Article I, of the Constitution of the State of California.

Read first and second times and referred to the Judiciary Committee.

By Mr Keys—An Act to compensate J. G. Jenkins for legal services

rendered the State during the years eighteen hundred and sixty-eight and eighteen hundred and seventy, under the Act of Congress to quiet land titles in the State of California, approved July twenty-third, eighteen hundred and sixty-six.

Read first and second times and referred, with accompanying documents, to the Committee on Claims.

By Mr. Tuttle—An Act to punish adultery.

Also, an Act to punish seduction.

Severally read first and second times and referred to the Committee on Public Morals.

By Mr. Finney—An Act authorizing the distribution of the reports of the State Geological Survey.

Read first and second times and placed on file.

By Mr. Neff—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two.

Read first and second times and referred to the Placer delegation.

By Mr. Fowler—An Act to prevent libelous publications.

Read first and second times and referred to the Committee on Public Morals.

By Mr. O'Connor—An Act to amend an Act entitled an Act fixing the number of officers and employes of the Senate and Assembly, and to define their duties and to establish their pay, approved May twentieth, eighteen hundred and sixty-two.

Read first and second times and referred to the Committee on Contingent Expenses.

By Mr. Finney—An Act to regulate elections.

Read first and second times and referred to the Committee on Elections.

By Mr. Turner—An Act to legalize the assessment of taxes for the years eighteen hundred and sixty-nine, eighteen hundred and seventy, and eighteen hundred and seventy-one, in the County of Sierra.

Read first and second times and referred to the Judiciary Committee.

By Mr. Comte—An Act to amend an Act entitled an Act concerning attorneys and counselors at law, approved February nineteenth, eighteen hundred and fifty-one.

Read first and second times and referred to the Judiciary Committee.

By Mr. Turner—An Act to repeal an Act entitled an Act to empower the Board of Supervisors of the several counties of the State to aid in the construction of a railroad in their respective counties.

Read first and second times.

Mr. Wand moved to refer the bill to the Committee on Corporations, with instructions to report the same on Monday, January eighth.

On the motion to refer, the ayes and noes were demanded by Messrs. Larkin, Betge, and Turner, and the Senate so ordered, by the following vote:

Ayes—Messrs. Andross, Banvard, Betge, Boggs, Boucher, Comte, Crane, Duffy, Dyer, Evans, Finney, Fowler, Garratt, Goodale, Hutchings, Irwin, Kent, Keys, McCoy, Neff, Tompkins, Van Ness, Wand, Wilson and Wing—25.

Noes—Messrs. De Haven, Larkin, McKusick, McMurry, O'Connor, Perkins, Turner, and Tuttle—8.

RESOLUTIONS.

By Mr. O'Connor:

Resolved, That J. B. Stevens be and he is hereby authorized to copy the Journals of the Senate and prepare them for the State Printer during the session, at twelve and one half cents per folio; and the Secretary of State shall compute the same and certify to the Controller, who shall draw his warrant on the Treasurer for the amount, payable out of the appropriation for the contingent expenses of the Senate; *provided*, that said J. B. Stevens execute a bond to the State of California, in the sum of two thousand five hundred dollars, for the faithful performance of the work herein agreed to be done, said bond to be approved by the Secretary of State and filed in his office.

Referred to the Committee on Contingent Expenses.

By Mr. Goodale:

Resolved by the Senate, the Assembly concurring, That the plans accompanying the Report of the Commissioner in Lunacy be and are hereby ordered printed with the report.

Read and adopted, under a suspension of the rules.

By Mr. Finney:

Senate concurrent resolution relative to requesting the Congress of the United States to establish a National Bureau of Education.

Read and referred to the Committee on Education.

By Mr. Banvard:

Resolved, That John Leach be and is hereby appointed Porter for the gallery and adjacent halls, at a per diem of four dollars, payable out of the appropriation for contingent expenses of the Senate.

Read and referred to the Committee on Contingent Expenses.

By Mr. O'Connor:

Resolved, That full power and authority are hereby granted the Sergeant at Arms of the Senate to control and supervise the halls and corridors leading to the Senate chamber from the rotunda of the Capitol.

Read and referred to the Committee on Public Buildings.

REPORT.

By Mr. McCoy:

Mr. PRESIDENT: Your Committee on Engrossment have examined and find correctly engrossed the following bill: Senate Bill No. 26—An Act to appropriate money for contingent expenses of the Legislature at its eighteenth session.

RESOLUTIONS.

By Mr. Pendegast:

Resolved, That the name of Mr. Ward be substituted for that of Mr. Pendegast on the Committee on Commerce and Navigation.

Adopted.
By Mr. O'Connor:

Resolved by the Senate, the Assembly concurring, That the Standing Committees on Public Buildings, other than State Prison, of the Senate and Assembly, be requested to jointly inquire into the manner in which all contracts for materials have been furnished, and all labor has been performed, in the construction of the State Capitol and the Governor's Mansion, and report the result to the Legislature at as early a day as convenient. Said committee shall have power to send for persons and papers.

Read and adopted, under a suspension of the rules.

GENERAL FILE.

Senate Concurrent Resolution No. 14—Relative to hoisting the flag in front of the Capitol.

Referred to the Committee on Contingent Expenses.

Senate Bill No. 38—An Act making an appropriation for translating into Spanish the several State documents ordered translated during the eighteenth session of the Legislature of the State of California.

Rules suspended, bill considered engrossed, read third time and passed.

At three o'clock and thirty-five minutes P. M., on motion of Mr. Banvard, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Friday, January 5th, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.
[Mr. Oulton in the chair.]

REPORTS.

The following reports were made:

By Mr. Banvard:

Mr. PRESIDENT: Your special committee, the Placer delegation, to

whom was referred Senate Bill No. 55—An Act supplementary to an Act to provide for the appointment of Notaries Public, and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two—respectfully report the same back, and recommend its passage.

BANVARD, for Delegation.

By Mr. Keys:

Mr. PRESIDENT: The delegation to whom was referred Assembly Bill No. 77—An Act to authorize the Board of Supervisors of Mariposa County to levy an additional tax for county purposes—have had the same under consideration, and herewith report the bill back and recommend its passage.

KEYS, of Delegation.

By Mr. McMurry:

Mr. PRESIDENT: Your Committee on Contingent Expenses, to whom was referred a resolution to pay the San Francisco *News-Letter* for papers furnished at the last session of the Senate, have had the same under consideration, and report it back with amendment, and recommend that it pass as amended.

McMURRY, Chairman.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, January 4th, 1872.

To the Senate of the State of California:

I have to inform your honorable body of the appointment of L. H. Foote, Adjutant General, vice Thomas N. Cazneau, and J. D. Stevenson, Commissioner of Immigration, vice J. W. Mandeville, and respectfully ask that the appointments be confirmed.

NEWTON BOOTH,
Governor.

CONSIDERATION OF THE MESSAGE.

Upon the question, "Will the Senate advise and consent to the appointment of L. H. Foote as Adjutant General?" the roll was called with the following result:

AYES—Messrs. Andross, Banvard, Beck, Boucher, Comte, Crane, De Haven, Duffy, Dyer, Evans, Finney, Fowler, Garratt, Goodale, Hutchings, Irwin, Kent, Keys, Larkin, Maclay, McCoy, McKusick, McMurry, Minis, Neff, O'Connor, Oulton, Pendegast, Perkins, Tompkins, Turner, Tuttle, Wand, Wilson, and Wing—35.
NOES—None.

Upon the question, "Will the Senate advise and consent to the ap-

pointment of J. D. Stevenson as Commissioner of Immigration?" the roll was called with the following result:

Ayes—Messrs. Andross, Banyard, Beck, Beige, Boggs, Boucher, Cantè, Crane, De Haven, Duffy, Hyer, Evans, Finley, Fowler, Garnett, Goodale, Hamilton, Irwin, Kaye, Keys, Larkin, Mackay, Mahoy, McKenzie, McMurry, Moss, Noel, Pennington, Pulton, Pennegat, Perkins, Tompkins, Turner, Tuttle, Van Ness, Wand, Wilson, Wing—38.

Noes—None.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
January 9th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the fourth day of January, eighteen hundred and seventy-two, passed Assembly Bill No. 18—An Act to amend an Act entitled an Act to authorize the Council of the City of Oakland to lay out, open, or improve streets in said city.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 18, above referred, read first and second times and referred to the Judiciary Committee.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. McKenzie—Proposed amendment to section second, Article IV, of the Constitution of the State of California.

Read first and second times and referred to the Judiciary Committee.

By Mr. Hayward—An Act to protect the voters of this State.

Read first and second times and referred to the Committee on Elections.

By Mr. Duffy—An Act to appropriate money for the relief of General John A. Sutter.

Read first and second times and referred to the Committee on Claims.

By Mr. Tuttle—An Act to prevent the sale of intoxicating drinks to minors.

Read first and second times and referred to the Committee on Public Morals.

By Mr. Morris—An Act for the relief of the sufferers from the diversion of the American River.

Read first and second times and referred to the Judiciary Committee.

By Mr. Mackay—An Act to amend an Act entitled an Act to provide five competitive scholarships for the benefit of meritorious young men desirous of entering the State University.

Read first and second times and referred to the Committee on Education.

By Mr. McCoy—An Act for the relief of the indigent sick.

Read first and second times and referred to the Committee on Hospitals.

By Mr. Pendegast—An Act concerning estrays in the Counties of Napa, Solano, and Sonoma.

Read first and second times and (with accompanying documents) referred to the Napa, Solano, and Sonoma delegations.

By Mr. Duffy—An Act to provide additional grounds for the State Capitol building in the City of Sacramento.

Read first and second times, referred to the Committee on Public Buildings and Grounds, and ordered printed.

By Mr. McMurry—An Act to amend an Act entitled an Act relating to the duties and compensation of Clerk of the Supreme Court.

Read first and second times and referred to the Judiciary Committee.

By Mr. Comte—An Act amendatory of an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one. Amended May twelfth, eighteen hundred and sixty-one.

Read first and second times and referred to the Judiciary Committee.

By Mr. O'Connor—An Act fixing the compensation of Sheriffs of the several counties of this State in certain cases.

Read first and second times and referred to the Committee on State and County Revenue.

RESOLUTION.

By Mr. Perkins—Joint resolution relative to the passage of a postal telegraph bill by the Congress of the United States.

Read first and second times and referred to the Committee on Federal Relations.

GENERAL FILE.

Senate Bill No. 54—An Act authorizing the distribution of the reports of the State Geological Survey.

Referred to the Committee on State Library, and ordered printed.

Assembly Bill No. 50—An Act to separate the office of County Recorder from the office of County Clerk in the County of Mendocino.

Read a third time and passed.

At eleven o'clock and forty minutes A. M., on motion of Mr. Betge, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Saturday, January 6th, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Gwin for four days and Mr. Minis for one day.

COMMUNICATION AND MEMORIAL.

The President of the Senate presented a communication from C. Lindley, of the Revision Commission.

On motion of Mr. Farley, the reading of the communication was dispensed with and referred to the Judiciary Committee.

The President also presented a memorial from the California Labor and Employment Exchange.

Read and referred to the Finance Committee.

REPORTS.

By Mr. Perkins:

Mr. PRESIDENT: Your Committee on Claims, to whom was referred Senate Bill No. 29—An Act to provide for the ascertainment, liquidation, and payment of certain indebtedness of the State—have carefully considered the bill, and report the same back with a substitute therefor, and recommend the adoption of the substitute.

PERKINS, Chairman.

By Mr. Beck:

Mr. PRESIDENT: The Committee on Public Buildings, to whom was referred Senate resolution in relation to authorizing the Sergeant at Arms to exercise control over the halls and corridors leading to the Senate chamber, have considered the same, and find that it is in conflict with Rule 42 of the Senate. For this reason the committee recommend that it do not pass.

BECK, for Committee.

By Mr. Perkins:

Mr. PRESIDENT: The Committee on Claims report a substitute for Senate Bill No. 29, and recommend the passage of the substitute.

PERKINS, for Committee.

By Mr. Irwin:

Mr. PRESIDENT: Your Committee on Elections, to whom was referred Senate Bill No. 58—An Act to regulate elections—beg leave to report said bill back, without having considered the same. This report is made at the request of the author of the bill, who wishes permission to withdraw it from the Senate.

IRWIN, for Committee.

The author of the bill above reported had leave to withdraw the same.

By Mr. Tompkins:

Mr. PRESIDENT: The Committee on Judiciary have had under consideration Assembly Bill No. 81—An Act to amend an Act entitled an Act concerning County Judges, passed April fourth, eighteen hundred

and fifty-four. The effect of this bill would be to allow the County Judge of Monterey County to reside elsewhere than at the county seat of said county. Your committee are aware that similar bills have been passed in several cases, but they are satisfied that the number ought not to be increased. The duties of the County Judge are becoming very important, and to a large extent can be performed at chambers. The Clerk of his Court, and the records and files to which he must have constant reference, are necessarily kept at the county seat. In Probate matters, particularly, the greatest inconvenience would arise from compelling the whole business to be transacted on fixed days, when the Judge would be at the county seat for that purpose. Many summary proceedings, as in forcible entry and detainer, would be delayed, if not defeated, by his absence; and in every view that your committee can take of it the public interests would suffer for the private convenience of the Judge. The committee therefore recommend that the bill do not pass.

TOMPKINS, Chairman.

Mr. PRESIDENT: The Committee on Judiciary have had under consideration Senate Bill No. 17—An Act to fix the salary of the County Judge of the County of San Joaquin—and report the same back with a substitute, and recommend the passage of the substitute.

Your committee adhere to their former report upon the constitutionality of this species of legislation, and seek by the substitute offered to place the remedy for inadequacy of compensation of County Judges in the hands of those more directly interested therein or affected thereby.

TOMPKINS, Chairman.

Mr. PRESIDENT: The Committee on Judiciary have had under consideration Senate Bill No. 28—An Act to amend an Act entitled an Act in relation to personal mortgages in certain cases, approved May eleventh, eighteen hundred and fifty three—and report the same back and recommend its indefinite postponement, on the ground that its passage would introduce into the law of chattel mortgages more confusion and intricacy than now exists, without any corresponding advantage that the committee are able to discover.

Also, Senate Bill No. 1—An Act to repeal an Act entitled an Act to empower the Board of Supervisors of the several counties of the State to aid in the construction of a railroad in their respective counties, approved April fourth, eighteen hundred and seventy—and report the same back and recommend that it be indefinitely postponed, on the ground that in its present form it does not sufficiently guard rights which may have already been vested; and also because another bill is now before the Senate which provides for the repeal of the Act in question.

Your committee, by this recommendation, do not mean to express any opinion as to the propriety of the repeal of the said Act.

Also, Senate Bill No. 7—An Act to repeal an Act entitled an Act to protect litigants, approved March twenty ninth, eighteen hundred and seventy—and report the same back and recommend its indefinite postponement, on the ground that its passage would leave no law by which publication of legal notices might be had.

Also, Senate Bill No. 22—An Act to amend an Act entitled an Act defining the time for commencing civil actions—and report the same

back and recommend its indefinite postponement, as your committee do not believe that the best interests of the community would be promoted by its passage.

TOMPKINS, Chairman.

Mr. President: The Committee on Judiciary have had under consideration Senate Bill No. 47—An Act to amend an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, Senate Bill No. 43—An Act concerning the Police Courts of the City and County of San Francisco.

Also, Senate Bill No. 60—An Act to amend an Act entitled an Act concerning attorneys and counselors at law, approved February nineteenth, eighteen hundred and fifty-one.

Also, Assembly Bill No. 26—An Act to amend an Act entitled an Act concerning the distribution of the reports of the decisions of the Supreme Court and the statutes of this State, approved March third, eighteen hundred and sixty-six.

And report the same back with amendments, and recommend the passage of the same as severally amended.

Also, have had under consideration Senate Bill No. 16—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice in this State, as approved April twenty ninth, eighteen hundred and fifty-one.

Also, Senate Bill No. 2—An Act to amend an Act entitled an Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to town lands granted to the unincorporated towns in this State by the Act of Congress entitled an Act for the relief of the inhabitants of cities and towns upon the public lands, approved March second, eighteen hundred and sixty seven, approved March thirtieth, eighteen hundred and sixty-eight.

And report the same back and recommend that each of them be indefinitely postponed.

Also, Assembly Bill No. 78—An Act to amend an Act entitled an Act to amend an Act entitled an Act creating the office of Bailiff of the Supreme Court, approved April sixth, eighteen hundred and sixty three, approved March sixteenth, eighteen hundred and sixty four—and report the same back and recommend that it do not pass.

Also, have had under consideration Senate Bill No. 8—An Act to enable the inhabitants of territory adjacent to any city in this State to annex the same thereto.

Also, Senate Bill No. 34—An Act to amend an Act entitled an Act to define the duties and liabilities of pawnbrokers and pledgees.

Also, Assembly Bill No. 25—An Act to amend an Act entitled an Act concerning the Courts of justice of this State and judicial officers, approved April twentieth, eighteen hundred and sixty-three.

And report the same back and recommend their passage.

Also, Senate Concurrent Resolution No. 6—Relative to the appointment of a Committee on the Revision of the Laws and the report of the Revision Commission, and the Assembly substitute therefor, entitled substitute for Senate resolution relative to appointing a committee on revision of the laws—and report the same back and recommend that the Senate do concur in the Assembly substitute.

Also, report back Senate resolution relative to the funeral expenses of the late Senator Burnett, and recommend that the resolution pass, and

the amount named be appropriated as therein provided, as the same is sanctioned by custom, and your committee believe that it is entirely proper that such a recognition be made of the services of the deceased Senator.

Also, have had under consideration Senate Bill No. 5—An Act to amend an Act entitled an Act to provide for the incorporation of railroad companies and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one—and report the same back and recommend that it be referred to the Committee on Corporations, as it presents no question for investigation by this committee, and more properly belongs to that committee.

TOMPKINS, Chairman.

Mr. President: Your Committee on Judiciary have had under consideration the Joint Resolution of the Legislature of the State of Nevada, asking the State of California to cede so much of her territory as lies east of the summit of the Sierra Nevada Mountains to the State of Nevada, and report the same back. The boundaries of the State of California, being fixed by the Constitution of the State, your committee do not deem that the Legislature has the authority to cede the territory desired to the State of Nevada, and therefore recommend that the Legislature respectfully decline to accede to the request of the Legislature of the State of Nevada; and also recommend the passage of the accompanying resolution in relation thereto.

TOMPKINS, Chairman.

By Mr. McMurry:

Mr. President: Your Committee on Contingent Expenses, to whom was referred a resolution appointing N. Benedict Appendix Copying Clerk, have had the same under consideration, and herewith report the same back with a substitute and recommend the passage of the substitute.

McMURRY, Chairman.

Mr. President: Your Committee on Contingent Expenses, to whom was referred two resolutions instructing the Sergeant at Arms to furnish clerks and reporters with postage stamps, have had them under consideration, and herewith report them back and recommend that they be indefinitely postponed.

McMURRY, Chairman.

Mr. President: Your Committee on Contingent Expenses, to whom was referred a resolution instructing the Sergeant at Arms to purchase ten volumes of Hittell's Digest, have had the same under consideration, and report the same back and recommend that it do not pass.

McMURRY, Chairman.

By Mr. Betge:

Mr. President: The joint committee of conference on the disagreeing vote of the two Houses on Assembly amendment to Senate Concurrent Resolution No. 10—Providing for the printing of two thousand copies of Governor Haight's and Governor Booth's messages in the German

language—respectfully beg leave to report that they unanimously recommend the concurrence to the Assembly amendment.

BETGE,
Chairman Senate Committee.
SPLIVALO,
Chairman Assembly Committee.

On motion of Mr. Irwin, the resolution above reported was indefinitely postponed.

By Mr. Keys:

Mr. PRESIDENT: The delegation to whom was referred Assembly Bill No. 63—An Act concerning certain officers in the County of Merced—have had the same under consideration, and herewith report the same back, with an amendment, and recommend its passage.

Amend section one, by adding the words "Stanislaus County" after "Merced."

KEYS, for Delegation.

By Mr. Wand:

Mr. PRESIDENT: The San Francisco delegation, to whom was referred Assembly Bill No. 1, with accompanying petition, have had the same under consideration, and herewith report it back, with a substitute, and recommend the passage of the substitute.

WAND, Chairman.

Mr. PRESIDENT: The San Francisco delegation ask leave to report that they have had under consideration Assembly Concurrent Resolution No. 6, and report the same back to the Senate and recommend its passage.

WAND, Chairman.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
January 6, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the fourth of January, passed Assembly Bill No. 2—An Act to repeal an Act entitled an Act authorizing the publication of certain legal notices in a State paper printed at the seat of government of the State of California, approved March twenty-ninth, eighteen hundred and seventy.

Also, on January fifth, eighteen hundred and seventy-two, Assembly Bill No. 103—An Act to repeal an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties of this State, so far as relates to the County of Alameda.

Also, on January fifth, eighteen hundred and seventy-two, indefinitely postponed Senate Concurrent Resolution No. 9—Relative to State University.

Also, on the fifth of January, eighteen hundred and seventy-two, concurred in Senate Concurrent Resolution No. 15—Relative to Report of Commissioner in Lunacy.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 2, above reported, was read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 103, above reported, was read first and second times, rules suspended, bill read a third time and passed, and ordered transmitted immediately to the Assembly.

REPORT.

By Mr. Tuttle:

Mr. PRESIDENT: Your Committee on Engrossment have examined and find correctly engrossed the following bill:

Senate Bill No. 38—An Act making an appropriation for translating into Spanish the several State documents ordered translated during the eighteenth session of the Legislature of the State of California.

TUTTLE, for Committee.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Farley—An Act to legalize certain payments of money on account of the purchase of State school lands.

Read first and second times and referred to the Committee on Public Lands.

By Mr. Evans—An Act authorizing the appointment and prescribing the duties of a Reporter for the County and Probate Courts in San Joaquin County.

Read first and second times and referred to the Judiciary Committee.

By Mr. Duffy—An Act to provide a State Armory.

Read first and second times and referred to the Committee on Public Buildings.

RESOLUTION.

By Mr. Perkins:

Resolved, That the Judiciary Committee are respectfully requested to furnish the Committee on Claims with their construction of section one and section five of an Act entitled an Act to provide for the liquidation of all claims against the State not otherwise provided for by law, approved April first, eighteen hundred and seventy.

Adopted.

SUSPENSION OF THE RULES.

On motion of Mr. Oulton, the rules were suspended, and the Senate took up the consideration of the substitute for Assembly Bill No. 1, above reported by the San Francisco delegation.

Bill read a third time and passed, and ordered transmitted immediately to the Assembly.

On motion of Mr. Boggs, the rules were suspended, and the Senate took up the consideration of Senate Bill No. 47, above reported by the Judiciary Committee.

The bill was considered in Committee of the Whole and amended.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the Senate, rules suspended, bill considered engrossed, read a third time and passed, and ordered transmitted immediately to the Assembly.

GENERAL FILE.

Senate resolution relative to payment of *News-Letter*.

Amended by Committee on Contingent Expenses by striking out "fifty-six dollars" and inserting in lieu thereof "thirty-six dollars."

Amendment of committee adopted by the Senate, and resolution adopted as amended.

Assembly Bill No. 77—An Act to authorize the Board of Supervisors of Mariposa County to levy an additional tax for county purposes.

Read a third time and passed.

Senate Bill No. 55—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties, approved April twenty-fifth, eighteen hundred and sixty two.

Ordered engrossed.

RESOLUTION.

By Mr. Pendegast:

Resolved, That Philip Oppenheim be and he is hereby allowed seven days pay, at eight dollars per diem, for services rendered in the office of the Sergeant at Arms of the Senate, the same to be paid out of the appropriation for contingent expenses of the Senate.

Read and referred to the Committee on Contingent Expenses.

RECONSIDERATION.

On motion of Mr. Pendegast, the vote by which Senate Bill No. 69 was referred to the Napa, Solano, and Sonoma delegations was reconsidered and the usual number of copies ordered printed.

SUSPENSION OF THE RULES.

On motion of Mr. Conte, the rules were suspended for the consideration of Senate resolution relative to writing up the Appendices of the Senate.

The amendment to the resolution, as reported by the committee, was read, and on motion of Mr. Irwin, the resolution was recommitted to the Committee on Contingent Expenses.

At one o'clock and five minutes P. M., on motion of Mr. O'Connor, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Monday, January 8th, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of Saturday, January sixth, read and approved.

PETITIONS.

Petitions were offered as follows:

Mr. Oulton presented a petition from Messrs. Vale and Warner, relative to the California Labor and Employment Exchange.

Read and referred to the Finance Committee.

Mr. Pendegast presented a memorial from grape growers of Sonoma, Napa, and Solano Counties.

On motion of Mr. Pendegast, the reading of the memorial was dispensed with, and referred to the delegations from the counties named in the memorial.

REPORTS.

By Mr. Neff:

Mr. PRESIDENT: Your Committee on Engrossment have examined and find correctly engrossed the following bill:

Senate Bill No. 47—An Act to amend an Act entitled an Act to provide for the sale and management of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

NEFF, for Committee.

By Mr. McMurry:

Mr. PRESIDENT: Your Committee on Contingent Expenses, to whom was referred a resolution relative to writing up the Appendix to the Senate Journal, herewith report the same back with amendment and recommend that it pass as amended.

McMURRY, Chairman.

By Mr. Larkin:

Mr. PRESIDENT: The Committee on State and County Revenue, to whom was referred an Act fixing the compensation of Sheriffs of the several counties of this State in certain cases, would report the same back and recommend its passage.

LARKIN, Chairman.

By Mr. Tompkins:

Mr. PRESIDENT: The Committee on Judiciary, to whom was referred the following resolution:

Resolved, That the Judiciary Committee are respectfully requested to furnish the Committee on Claims with their construction of section one and section five of an Act entitled an Act to provide for the liquidation

of all claims against the State not otherwise provided for by law, approved April first, eighteen hundred and seventy.

Having had the same under consideration report the same back.

The Judiciary Committee reply to the inquiry of the Committee on Claims, as to the construction of said sections, that, in the opinion of the Judiciary Committee, said sections prohibit the consideration by the Committee on Claims, or by the Legislature, of any claims, legal, equitable, or for relief against the State of California, that shall not have been presented in due form to the Board of Examiners, as required by said section one of said Act.

TOMPKINS, Chairman.

Mr. President: The Committee on Judiciary, to whom was referred Senate Bill No. 66—An Act for the relief of the sufferers from the diversion of the American River—have had the same under consideration, and now respectfully report:

The bill commences with a long preamble, reciting a series of facts of which the committee have no knowledge, and that would properly be the subject of judicial, rather than legislative, examination. To indorse that statement, by passing the Act, might be productive of great injustice.

The bill further shows that the claims thus attempted to be revived and enforced are barred by the statute of limitations. To attempt by special enactments to relieve in particular cases from the operation of so beneficent a general law would bring discredit upon the law itself, and would be, in the opinion of the committee, highly inexpedient, if not absolutely void. If the law is a good one, it should be maintained in its integrity. If a bad one, it should be wholly repealed.

The bill seeks to substitute a new and unusual remedy in a case already amply provided for by law. If damages were sustained, the Courts were open. If no damages were suffered that the law would recognize, then the claimants were only injured by a misfortune that might come in turn to every citizen, and that each must bear for himself. Your committee can see no reason to take the trial of this class of actions from the Courts of law.

The bill would deprive the parties that would be compelled to pay the damages awarded of the right to a trial by jury. There are undoubted cases in which, in the exercise of the right of eminent domain, damages may be assessed without a jury; but no case is remembered where it has been held that in an action for damages between private citizens the Legislature have the power after the injury has accrued to take away from the defendant the right to have the question of his guilt, and the amount of damages, if he is found guilty, determined by a jury.

For all these reasons the committee recommend that the bill do not pass.

TOMPKINS, Chairman.

On motion of Mr. Conte, the usual number of copies of the above report was ordered printed.

By Mr. Tompkins:

Mr. President: The Committee on Judiciary, having had under consideration Assembly Bill No. 18—An Act to amend an Act entitled an Act to authorize the Council of the City of Oakland to lay out, open,

or improve streets in said city, approved January thirtieth, eighteen hundred and seventy—report the same back, with amendments, and recommend the adoption of the amendments and the passage of the bill as amended.

Also, Senate Bill No. 72—An Act amendatory of an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty one, amended May twelfth, eighteen hundred and sixty one—report the same back, with amendments, and recommend the adoption of the amendments and the passage of the bill as amended.

Also, Senate Bill No. 71—An Act to amend an Act entitled an Act relating to the duties and compensation of the Clerk of the Supreme Court—report the same back and recommend that it do not pass.

TOMPKINS, Chairman.

Mr. Maclay, from the Committee on Corporations, asked until to-morrow morning in which to report Senate Bill No. 61.

On the question of granting further time to the Committee, the ayes and noes were demanded by Messrs. Neff, Larkin, and Evans, and the Senate refused, by the following vote:

Ayes—Messrs. Andross, Banyard, Beck, Betge, Boggs, Comte, Duffy, Garratt, Hutchings, Keys, Maclay, McCoy, Oulton, Pendegast, Tompkins, Van Ness, Wilson, and Wing—18.

Noes—Messrs. Boucher, Crane, De Haven, Dyer, Evans, Farley, Finney, Fowler, Goodale, Irwin, Larkin, McKusick, McMurry, Neff, O'Connor, Perkins, Turner, Tuttle, and Wand—19.

On motion of Mr. O'Connor, the Chairman of the Committee on Corporations was requested to report Senate Bill No. 61, without recommendation.

Mr. Maclay, from the Committee on Corporations, verbally reported Senate Bill No. 61, without recommendation.

By Mr. Pendegast:

Mr. President: The Mendocino delegation, to whom was referred Assembly Bill No. 48—An Act to authorize the School Trustees in Ukiah School District, in Mendocino County, to purchase school property, report the same back, and respectfully recommend its passage. The bill provides for the purchase by said Trustees of a building already erected by funds raised by private contributions, and which has heretofore been used as a seminary of learning. It seems to be the unanimous desire of the citizens of the school district that the building should be bought by and become the public property of the people thereof.

PENDEGAST, for Delegation.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, January 5th, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have appointed James Hunter, State Gauger, vice Rogers, resigned, and respectfully ask that the appointment be confirmed.

NEWTON BOOTH, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, January 6th, 1872.

To the Senate of the State of California:

I herewith transmit to your honorable body, for legislative action, copies of resolutions passed by the Revision Commission.

NEWTON BOOTH, Governor.

The following are the resolutions transmitted by the Governor:

At a meeting of the Revision Commission held January first, eighteen hundred and seventy-two, the following resolutions were adopted:

1.

Resolved, That the Penal, Code of Civil Procedure, and Civil Codes are now complete, and that the Commission are ready to report the same in bill form to the Legislature, in such manner as it may direct, and are willing to attend before the Legislature or any committees thereof to give such information respecting the Codes as may be desired.

2.

Resolved, That the work upon the Political Code has so far progressed that the Examining Board and Legislative Committees may commence the examination thereof, and prosecute such examination without delay.

3.

Resolved, That in the opinion of this Commission it would be desirable to have the Codes mentioned in the first resolution examined in the order in which they are named therein.

4.

Resolved, That his Excellency, the Governor, is respectfully requested to transmit copies of these resolutions to each House of the Legislature.

CAMERON H. KING, Secretary.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT.
Sacramento, January 8th, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 25—An Act to define and establish the boundary line of the City of Sonora.

Also, Senate Bill No. 3—An Act to establish and define the powers and duties of the Board of Education of the City of Petaluma.

NEWTON BOOTH, Governor.

CONSIDERATION OF GOVERNOR'S MESSAGE

Transmitting appointment of James Hunter as State Gauger. Upon the question, "Will the Senate advise and consent to the appointment of James Hunter as State Gauger?" the roll was called, with the following result:

AYES—Messrs. Banvard, Beck, Betge, Boggs, Boucher, Comte, Crane, Duffy, Dyer, Evans, Finney, Fowler, Garratt, Goodale, Hutchings, Irwin, Keys, Maclay, McCoy, McKusick, Neff, O'Connor, Oulton, Pendegast, Perkins, Tompkins, Turner, Tuttle, Van Ness, Wand, Wilson, and Wing—32.

NOES—None.

LEAVE TO INTRODUCE A BILL.

Mr. Tompkins had leave to introduce the following bill—An Act in relation to the revision of the laws.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed, and ordered transmitted immediately to the Assembly.

GENERAL FILE.

At twelve o'clock M., the Senate took up the consideration of the General File, as follows:

Senate Concurrent Resolution No. 6—Appointing a Committee on Revision of the Laws.

Adopted.

Assembly Bill No. 25—An Act to amend an Act entitled an Act concerning Courts of justice of this State and judicial officers, approved April twentieth, eighteen hundred and sixty-three.

Read a third time and passed.

Assembly Bill No. 26—An Act to amend an Act entitled an Act concerning the distribution of the reports of the decisions of the Supreme Court and the statutes of this State, approved March third, eighteen hundred and sixty-six.

Considered in Committee of the Whole and amended.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the Senate, bill read a third time, and passed.

GENERAL FILE RESUMED.

Assembly Bill No. 63—An Act concerning certain officers in the County of Merced.

Read a third time and passed.

Assembly Bill No. 78—An Act to amend an Act entitled an Act to amend an Act entitled an Act creating the office of Bailiff of the Supreme Court, approved April sixth, eighteen hundred and sixty-three, and March sixteenth, eighteen hundred and sixty-four.

Indefinitely postponed.

Assembly Bill No. 81—An Act to amend an Act entitled an Act concerning County Judges, approved April fourth, eighteen hundred and fifty-four.

Indefinitely postponed.

Senate Concurrent Resolution No. 18—Relative to cession of territory to the State of Nevada.

Read a third time and adopted.

Senate Bill No. 7—An Act to repeal an Act entitled an Act to protect litigants, approved March twenty-ninth, eighteen hundred and seventy.

Indefinitely postponed.

[President pro tem in the chair.]

Senate Bill No. 8—An Act to enable the inhabitants of territory adjacent to any city in this State to annex the same thereto.

Ordered engrossed.

Senate Bill No. 1—An Act to repeal an Act entitled an Act to empower the Boards of Supervisors of the several counties of the State to aid in the construction of a railroad in their respective counties.

Made the special order for Friday, January twelfth, at one o'clock P. M.

Senate Bill No. 2—An Act to amend an Act entitled an Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to the town lands granted to the unincorporated towns of this State.

Indefinitely postponed.

Senate Bill No. 5—An Act to amend an Act entitled an Act to provide for the incorporation of railroad companies and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one.

Referred to the Committee on Corporations.

Senate Bill No. 16—An Act to amend an Act entitled an Act to regulate proceedings in civil cases, passed April twenty-ninth, eighteen hundred and fifty-one.

Indefinitely postponed.

Senate Bill No. 22—An Act to amend an Act entitled an Act defining the time for commencing civil actions.

Indefinitely postponed.

[President in the chair.]

Substitute for Senate Bill No. 17—An Act in relation to the salaries of County Judges.

Recommitted to the Judiciary Committee.

Substitute for Senate Bill No. 29—An Act in relation to Indian war bonds.

Substitute reported by the Committee on Claims adopted by the Senate, and refused to order the same engrossed.

Senate Bill No. 28—An Act to amend an Act entitled an Act in

relation to personal mortgages in certain cases, approved April eleventh, eighteen hundred and fifty-three.

Indefinitely postponed.

Senate Bill No. 54—An Act to amend an Act entitled an Act to define the duties and liabilities of pawnbrokers and pledgees.

Ordered engrossed.

Senate Bill No. 43—An Act concerning the Police Court of the City and County of San Francisco.

Amendments reported by Judiciary Committee adopted by the Senate, and bill ordered engrossed.

Senate Bill No. 60—An Act to amend an Act entitled an Act concerning attorneys and counselors at law, approved February nineteenth, eighteen hundred and fifty-one.

Amendments reported by Judiciary Committee adopted by the Senate, and bill ordered engrossed.

Senate Resolution—Relative to purchase of Hittell's Digest.

Indefinitely postponed.

Assembly Concurrent Resolution No. 6—Relative to investigating the acts of City Hall Commissioners.

Indefinitely postponed.

Senate Resolution—Relative to allowing Journal Clerk stamps.

Indefinitely postponed.

Senate Resolution—Relative to funeral expenses of Senator Burnett.

Adopted.

RESOLUTION.

By Mr. Tuttle:

Resolved, That the Controller be requested to draw his warrant in favor of the widow of the late Senator Burnett for the sum of five hundred dollars.

Adopted.

By Mr. Perkins:

Resolved, That the Senate do now adjourn out of respect to the memory of General Andrew Jackson, the hero of New Orleans.

Adopted.

At three o'clock and forty minutes P. M., in pursuance of the above resolution, the Senate adjourned.

J. T. FARLEY,
President pro tem.

ROBERT FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Tuesday, January 9th, 1872.

Senate met pursuant to adjournment.

President in the chair.

Roll called.

Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

REPORTS.

The President presented the following report:

OFFICE OF PARK COMMISSIONERS,
San Francisco, January 8th, 1872.

To the Hon. Romualdo Pacheco, President of the Senate:

DEAR SIR: The Park Commissioners have the honor to submit herewith the report of their operations during the past two years, as required by law.

We are, very respectfully yours,

S. F. BUTTERWORTH,
CHAS. F. MACDERMOTT,
D. W. CONNELY,
Park Commissioners.

On motion of Mr. Neff, the reading of the report was dispensed with, and referred to the San Francisco delegation, and ordered printed.

The President also presented a memorial from the Natoma Water and Mining Company.

On motion of Mr. Pendegast, the reading of the memorial was dispensed with and referred to the Committee on State Prison, and ordered printed.

By Mr. Tuttle:

MR. PRESIDENT: Your Committee on Engrossment have examined and find correctly engrossed the following bills:

Senate Bill No. 34—An Act to amend an Act entitled an Act to define the duties and liabilities of pawnbrokers and pledgees.

Senate Bill No. 8—An Act to enable the inhabitants of territory adjacent to any city in this State to annex the same thereto.

Senate Bill No. 43—An Act concerning the Police Judge's Court of the City and County of San Francisco.

Senate Bill No. 60—An Act to amend an Act entitled an Act concerning attorneys and counselors at law, approved February nineteenth, eighteen hundred and fifty-one.

TUTTLE, for the Committee.

By Mr. Tompkins:

MR. PRESIDENT: The Committee on Judiciary having had under consideration Senate Bill No. 24—An Act to amend section four hundred and ninety-five, Chapter LIX, to regulate civil proceedings in civil cases in the Courts of justice in this State, approved April twenty ninth, eighteen hundred and fifty-one—report the same back and recommend that it do not pass.

Also, the communication from the Honorable Charles Lindley to the Senate, in relation to his resignation as one of the Revision Commission-

ers, and report the same back without recommendation, as the Act in relation to the revision of the laws, passed January eighth, eighteen hundred and seventy-two, renders any further action in the premises unnecessary.

TOMPKINS, Chairman.

By Mr. Beck:

Mr. PRESIDENT: The Committee on Public Buildings, to whom was referred Senate Bill No. 76—An Act to provide a State Armory—report the same back and recommend its reference to the Committee on Military Affairs.

BECK, for Committee.

PETITION.

The following petition was presented:

By Mr. Tuttle—Petition from citizens of Petaluma relative to exempt firemen in the City of Petaluma.

Laid on the table.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
January 8th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the sixth day of January, eighteen hundred and seventy-two, refused third reading of Senate Bill No. 31—An Act to authorize the District Attorney of Placer County to appoint a deputy.

Also, on this eighth day of January, A. D. eighteen hundred and seventy-two, passed, under a suspension of the rules, Senate Bill No. 77—An Act in relation to the revision of the laws.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
January 9th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the eighth day of January, eighteen hundred and seventy-two, passed Assembly Bill No. 11—An Act to amend an Act entitled an Act to consolidate certain school districts of the Counties of El Dorado and of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three.

BORUCK, Chief Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 11, above reported, read first and second times and referred to the El Dorado and Sacramento delegations.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Duffy—An Act concerning the Board of Supervisors of the County of Sacramento.

Read first and second times and referred to the Judiciary Committee.

By Mr. Van Ness—An Act to fix the terms of the County and Probate Courts in and for the County of San Luis Obispo.

Read first and second times and referred to the San Luis Obispo delegation.

By Mr. Beek—An Act to fix the salary of the Superintendent of Public Schools in the County of Monterey.

Read first and second times and referred to the Committee on Education.

By Mr. Van Ness—An Act to legalize grants of land made by the Trustees of the Town of Santa Barbara.

Read first and second times and referred to the Santa Barbara delegation.

By Mr. Wing—An Act to provide for indexing the names of persons who have declared their intention to become or who have become citizens of the United States, in the several Courts of record in this State.

Read first and second times and referred to the Committee on State and County Revenue.

By Mr. Ward—An Act to legalize, confirm, and make valid certain contracts for street work in the City and County of San Francisco, and all proceedings of the Board of Supervisors of said city and county relating to the same.

Read first and second times and referred to the San Francisco delegation.

By Mr. Keys—An Act to provide for the erection of a Court House and Jail in the County of Stanislaus.

Read first and second times and placed on file.

By Mr. Duffy—An Act concerning the attendance of physicians and to provide payment for making chemical and post mortem examinations for Coroners and in Courts of justice.

Read first and second times and referred to the Judiciary Committee.

By Mr. Onken—An Act to amend an Act entitled an Act to relieve owners of encumbered real estate from double taxation, approved April fourth, eighteen hundred and seventy.

Read first and second times and referred to the Judiciary Committee.

Also, an Act to amend an Act entitled an Act to provide for the formation of corporations for the accumulation and investment of funds and savings, approved April eleventh, eighteen hundred and sixty two.

Read first and second times and referred to the Committee on Corporations, and ordered printed.

RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Neff:

Resolved, That the Engrossing Clerk of the Senate be and he is hereby authorized to insert an enacting clause in Senate Bill No. 55—An Act

supplementary to an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties, approved April the twenty-fifth, eighteen hundred and sixty two.

Adopted.

On motion of Mr. Tuttle, Messrs. Larkin and Goodale were added to the Committee on Education.

By Mr. Tuttle:

Resolved, That the Committee on Elections be and are hereby authorized to employ a Clerk, at a per diem of five dollars, payable out of the appropriations for contingent expenses of the Senate.

Referred to Committee on Contingent Expenses.

REPORT.

By Mr. Neff:

Mr. PRESIDENT: Your Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 55—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties, approved April twenty fifth, eighteen hundred and sixty two.

NEFF, for Committee.

NOTICES.

Mr. Beige gave notice that he would to-morrow introduce a bill for the compulsory education of the children of this State.

Mr. Tuttle gave notice of the introduction of a bill at an early day for the protection of indigent Chinese.

Also, of a bill to carry into effect the object of the petition of the active and exempt firemen of the City of Petaluma.

GENERAL FILE.

Assembly Bill No. 48—An Act to authorize the School Trustees in Ukiah School District, in Mendocino County, to purchase school property.

Read a third time and passed.

Assembly Bill No. 18—An Act to amend an Act entitled an Act to authorize the Council of the City of Oakland to lay out, open, or improve streets in said city.

Considered in Committee of the Whole and amended.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the Senate, bill read a third time, and passed.

GENERAL FILE RESUMED.

Senate Bill No. 66—An Act for the relief of the sufferers from the diversion of the American River.

Recommitted to the Judiciary Committee.

Senate Bill No. 73—An Act fixing the compensation of Sheriffs of the several counties of this State in certain cases.

Referred to Committee on State Prison.

Senate Bill No. 71—An Act to amend an Act entitled an Act relating to the duties and compensation of Clerk of Supreme Court.

Recommitted to the Judiciary Committee.

Senate Bill No. 72—An Act amendatory of an Act entitled an Act to regulate the settlement of estates of deceased persons, passed May first, eighteen hundred and fifty-one. Amended May twelfth, eighteen hundred and sixty-one.

Considered in Committee of the Whole and amended.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the Senate and bill ordered engrossed.

GENERAL FILE RESUMED.

Senate Bill No. 61—An Act to repeal an Act entitled an Act to empower the Boards of Supervisors of the several counties of the State to aid in the construction of a railroad in their respective counties.

Considered in Committee of the Whole and amended.

IN SENATE.

Amendment made in Committee of the Whole concurred in by the Senate, and upon ordering the bill engrossed, the ayes and noes were demanded by Messrs. Larkin, O'Connor, and Neff, and the Senate so ordered, by the following vote:

AYES—Messrs. Andross, Beck, Betge, Boucher, Comte, Crane, De Haven, Duffy, Dyer, Evans, Farley, Finney, Fowler, Garratt, Goodale, Irwin, Kent, Keys, Larkin, Maclay, McKusick, McMurry, Neff, O'Connor, Oulton, Pendegast, Perkins, Turner, Tuttle, Wand, and Wing—31.

NOES—Messrs. Banvard, Boggs, McCoy, Minis, Tompkins, Van Ness, and Wilson—7.

RECONSIDERATION.

Mr. Duffy gave notice that to-morrow he would move to reconsider the vote by which the Senate ordered to engrossment Senate Bill No. 61.

GENERAL FILE RESUMED.

Senate Resolution—Relative to copying Senate Appendices.

The Committee on Contingent Expenses reported the following amendment to the resolution, which was adopted:

Resolved, That N. Benedict be and he is hereby authorized to write up the Appendix to the Senate Journal, at twelve and one half cents per folio; and the Secretary of State shall compute the same from time to time, and certify to the Controller, who shall draw his warrant on the Treasurer for the amount or amounts then due for such work, and the same shall be payable out of the appropriation for the contingent expenses of the Senate.

At twelve o'clock and thirty minutes P. M., on motion of Mr. Oulton, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Wednesday, January 10th, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

REPORTS.

Reports were made as follows:

By Mr. Tuttle:

Mr. PRESIDENT: Your Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 72—An Act amendatory of an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and sixty-one.

TUTTLE, for Committee.

Mr. PRESIDENT: Your committee to whom was referred Senate Bill No. 67—An Act to amend an Act entitled an Act to provide five competitive scholarships for the benefit of meritorious young men desirous of entering the State University, approved April ——, eighteen hundred and seventy—have had the same under consideration, and report the same back and recommend its passage.

TUTTLE, Chairman.

By Mr. Banvard:

Mr. PRESIDENT: The Committee on Finance, to whom was referred Senate Bill No. 30—An Act to provide for the Institution for the Deaf and Dumb and Blind—beg leave to report that they have had the same under consideration, and respectfully recommend its passage.

BANVARD, Chairman.

Mr. PRESIDENT: The Committee on Finance, to whom was referred Senate Bill No. 48—An Act concerning the offices of Controller and Treasurer of State, having had the same under consideration, report it back and recommend its passage.

BANVARD, Chairman.

By Mr. Keys:

Mr. President: The Hospital Committee, to whom was referred Senate Bill No. 68—An Act for the relief of the indigent sick—have had the same under consideration, and herewith report the bill back, and unanimously recommend that the bill be indefinitely postponed.

KEYS, Chairman.

By Mr. Perkins:

Mr. President: The Committee on Claims, to whom was referred Senate Bill No. 40—An Act for the relief of Henry Kohn—have carefully considered the same, and believe it to be an equitable claim against the State, but are divided in their opinion as to the precedent that would be established by its payment; they, therefore, respectfully report it back without recommendation, for the Senate to take such action as they may deem just to the claimant and the State.

Also, respectfully report back Senate Bill No. 64—An Act for the relief of John A. Sutter—without recommendation, as it is a bill appropriating money, and is not a legal claim against the State; your committee, therefore, was of the opinion it was a subject which should more properly be considered by the Committee on Finances.

PERKINS, Chairman.

By Mr. McMurry:

Mr. President: The Committee on Contingent Expenses have had under consideration a resolution appointing J. Carrol to regulate the heaters; also, a resolution appointing John Leach, Porter for the gallery; also, a resolution appointing Oscar Marshall, Day Watchman; also, a resolution authorizing the Secretary to appoint an Assistant Clerk at the Desk, and herewith report them back, with the recommendation that they do not pass.

McMURRY, Chairman.

By Mr. Fowler:

Mr. President: The Committee on Public Lands, to whom was referred Senate Bill No. 74, report the same back with amendment, and recommend the passage of the bill as amended.

Also, Senate Bill No. 23, report the same back, and recommend that it be referred to the Judiciary Committee, as there appears to be a great many legal points therein.

FOWLER, Chairman.

By Mr. Pendegast:

Mr. President: Your Committee on Education, to whom was referred Assembly Bill No. 14—An Act granting James H. Clark, County Superintendent of Common Schools, leave of absence from the State—have considered the same and report it back with amendments, and recommend its passage as amended.

Your committee desire, however, to express their views against the propriety of legislation of this character as a general rule, and we only consent to recommend the passage of this bill for special reasons:

First—We find that it is in a long established line of precedents.

Second—We are advised that Mr. Clark desires to visit the East for the purpose of attending a course of lectures in an institution of learning.

Third—It was understood prior to his election that this legislation would be sought, and the people voted for him with that understanding.

Fourth—The passage of the bill is urged by the delegation from Sutter County in both Houses.

We shall feel it our duty in the future to discourage all bills of this character, on the general ground that officers who have been elected should either remain at the post of duty or resign.

PENDEGAST, for Committee.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
January 9th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the fifth day of January, eighteen hundred and seventy-two, passed Assembly Bill No. 30—An Act to authorize the Board of Supervisors of Marin County to issue and sell bonds of said county, and apply the proceeds thereof to the building of a Court House at the county seat of said county.

Also, Assembly Bill No. 49—An Act to facilitate telegraphic communication between America and Asia.

Also, Assembly Bill No. 82—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts relative thereto, approved March fifth, eighteen hundred and seventy.

Also, on this ninth day of January, adopted Assembly Concurrent Resolution No. 8—Requesting the return of Assembly Bill No. 103 for correction from the hands of the Governor, and respectfully ask the concurrence of the Senate.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Concurrent Resolution No. 8, above reported, concurred in by the Senate.

Assembly Bill No. 30, above reported, read first and second times, rules suspended, bill read third time and passed.

Assembly Bill No. 49, above reported, read first and second times and referred to the Committee on Federal Relations.

Assembly Bill No. 82, above reported, read first and second times and referred to the Committee on State and County Revenue.

REPORT.

The following report was made by Mr. Hutchings:

Mr. PRESIDENT: Your Committee on Enrollment would respectfully report that they have examined, and find correctly enrolled, Senate Bill

No. 77—An Act in relation to the revision of the laws—and presented the same to the Governor for his signature at eleven o'clock and forty-five minutes A. M.

HUTCHINGS, Chairman.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Maclay—An Act to repeal an Act entitled an Act providing for the recording of certain papers in Santa Clara County, approved April second, eighteen hundred and seventy.

Read first and second times, and, with accompanying petition, referred to the Judiciary Committee.

By Mr. Keys—An Act to provide the County Superintendent of Public Instruction of Stanislaus County with an office.

Read first and second times and placed on file.

By Mr. Boggs—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed April twentieth, eighteen hundred and fifty.

Read first and second times and referred to the Judiciary Committee.

By Mr. Betge—An Act to provide for the compulsory education of the youth of California.

Read first and second times and referred to the Committee on Education.

By Mr. Wand—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof.

Read first and second times and referred to the San Francisco delegation.

RESOLUTION.

Mr. Maclay introduced the following resolution:

Resolved, That Charles Moreno be and is hereby allowed four dollars per day from the fourth day of December, eighteen hundred and seventy-one, for services as Assistant Doorkeeper, to be paid out of the Contingent Fund of the Senate.

Rules suspended and resolution adopted.

NOTICE.

Mr. Betge gave notice that he would, at an early day, introduce a bill increasing the police force of the City of San Francisco.

GENERAL FILE.

Senate Bill No. 55—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two.

Read a third time and passed.

Senate Bill No. 8—An Act to enable the inhabitants of territory adjacent to any city in this State to annex the same thereto.

Read a third time and passed.

Senate Bill No. 60—An Act to amend an Act entitled an Act concerning attorneys and counselors at law, approved February nineteenth, eighteen hundred and fifty-one.

Read a third time and passed.

Senate Bill No. 34—An Act to amend an Act entitled an Act to define the duties and liabilities of pawnbrokers and pledgees.

Read a third time and passed.

Senate Bill No. 43—An Act concerning the Police Judge's Court of the City and County of San Francisco.

Ordered at the top of file for Saturday, January thirteenth.

Senate Bill No. 24—An Act to amend section four hundred and ninety-five, Chapter LIX, to regulate proceedings in civil cases in the Courts of justice in this State, approved April twenty-ninth, eighteen hundred and fifty-one.

Indefinitely postponed.

Senate Bill No. 84—An Act to provide for the erection of a Court House and Jail in the County of Stanislaus.

Ordered engrossed.

POINT OF ORDER.

Mr. Pendegast raised the point of order that, notwithstanding the notice given yesterday by Mr. Duffy for the reconsideration of the vote by which the Senate ordered engrossed Senate Bill No. 61, said bill should have been placed on the General File of to-day.

The Chair decided the point of order to be well taken.

SUSPENSION OF THE RULES.

On motion of Mr. Evans, the rules were suspended, and the Senate took up consideration of Senate Bill No. 61—An Act to repeal an Act entitled an Act to empower the Board of Supervisors of the several counties of this State to aid in the construction of a railroad in their respective counties, approved April fourth, eighteen hundred and seventy.

On motion, the rules were further suspended, bill considered engrossed, read a third time and passed, and ordered transmitted immediately to the Assembly.

REPORT.

By Mr. Duffy:

Mr. PRESIDENT: Your committee to whom was referred Senate Bill No. 54—An Act authorizing the distribution of the Reports of the State Geological Survey—beg leave to report the same back with an amendment, and respectfully recommend its passage as amended.

DUFFY, for Committee.

On motion of Mr Finney, the rules were suspended for the consideration of Senate Bill No. 54, above reported.

Amendments reported by the committee adopted by the Senate, rules suspended, bill considered engrossed, read a third time and passed.

At one o'clock and eight minutes P. M., on motion of Mr. Maclay, the Senate adjourned.

J. T. FARLEY,
President pro tem.

ROBERT FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Thursday, January 11th, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

PETITION.

Mr. Tompkins presented a petition from citizens of the County of Alameda for the removal of the county seat of said county from San Leandro to Oakland.

Temporarily laid on the table.

REPORTS.

The following reports were made:

By Mr. Tuttle:

Mr. PRESIDENT: Your Committee on Engrossment have examined and find correctly engrossed the following:

Senate Bill No. 61—An Act to repeal an Act entitled an Act to empower the Board of Supervisors of the several counties of this State to aid in the construction of a railroad in their respective counties, approved April fourth, eighteen hundred and seventy.

TUTTLE, Chairman.

Mr. Wilson verbally reported Senate Bill No. 27, with a substitute, and recommended the passage of the substitute.

By Mr. Tompkins:

Mr. PRESIDENT: The Committee on Judiciary have had under consideration the substitute for Senate Bill No. 17—An Act to fix the salary of the County Judge of the County of San Joaquin entitled an Act in relation to the salaries of County Judges, with the Senate amendment to the substitute.

The Senate amendment is to the effect to allow Boards of Supervisors to fix the salaries of all other county officers. This power is inhibited to Boards of Supervisors by the Constitution, which provides, in section eleven, Article VI, that the Legislature shall fix by law the compensation of such other officers, and therefore this amendment should not be adopted.

Your committee report back the substitute and the Senate amendment thereto, with an amendment to the substitute, and recommend the adoption of the amendment offered by the committee, and the passage of the substitute as amended.

TOMPKINS, Chairman.

Mr. PRESIDENT: The Committee on Judiciary have had under consideration Senate Bill No. 71—An Act to amend an Act entitled an Act relating to the duties and compensation of Clerk of Supreme Court—and report the same back, with amendments, and recommend the adoption of the amendments and the passage of the bill as amended.

Also, Senate Bill No. 86—An Act to amend an Act entitled an Act to relieve owners of encumbered real estate from double taxation, approved April fourth, eighteen hundred and seventy—and report the same back, and respectfully request the Senate to have the same printed and again referred to this committee.

Your committee, at the request of the Senator from San Joaquin, report back Senate Bill No. 75—An Act authorizing the appointment and prescribing the duties of a Reporter for the County and Probate Courts in San Joaquin County—and recommend its reference to that Senator.

TOMPKINS, Chairman.

On motion of Mr. Tompkins, Senate Bill No. 75, above reported, was referred to the San Joaquin delegation.

On motion, Senate Bill No. 86 was ordered printed.

Mr. Van Ness verbally reported Senate Bill No. 79, and recommended its passage.

The rules were suspended, and Senate Bill No. 79, above reported, was considered engrossed, read a third time, and passed.

Mr. Pendegast verbally reported back Assembly Bill No. 6, with an amendment, without recommendation.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT.
Sacramento, January, 1872.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bill No. 77—An Act in relation to the revision of the laws.

NEWTON BOOTH,
Governor.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
January 10th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the ninth day of January, eighteen hundred and seventy-two, adopted Assembly Concurrent Resolution No. 9—Relative to the appointment of a clerk for the State Prison Committee of the Senate and Assembly.

Also, on the fifth day of January, eighteen hundred and seventy-two, passed Assembly Bill No. 74—An Act to amend an Act entitled an Act to provide for the official valuation of life insurance policies, approved April fourth, eighteen hundred and seventy.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Concurrent Resolution No. 9, above reported, was concurred in by the Senate.

Assembly Bill No. 79, above reported, was read first and second times and referred to the Committee on Corporations.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Banvard—An Act in relation to the election of members of the Senate and Assembly.

Read first and second times and referred to the Committee on Elections, and ordered printed.

By Mr. Duffy—An Act relative to the State printing.

Read first and second times and referred to the Committee on Printing, and ordered printed.

By Mr. Larkin—An Act for the relief of Jared C. Brown, of the City and County of San Francisco.

Read first and second times and referred to the Committee on Claims.

By Mr. McCoy—An Act to provide for the government of the City of San Diego.

Read first and second times and referred to the Judiciary Committee, and ordered printed.

By Mr. Tompkins—An Act to enable the Regents of the University of California to renew and secure certain lands, and to mortgage and sell certain real estate.

Read first and second times and referred to the Judiciary Committee.

By Mr. Oulton—An Act for the relief and support of the California Labor and Employment Exchange.

Read first and second times and referred to the Finance Committee.

Also, an Act concerning corporations.

Read first and second times and referred to the Judiciary Committee.

MOTIONS AND RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Tuttle:

A joint resolution relative to urging upon Congress the early passage of a law for raising the weight of silver coin to the standard of the year eighteen hundred and fifty.

Read and referred to the Committee on Federal Relations.

By Mr. Tompkins:

Resolved, That the Sergeant at Arms be authorized to procure, for the use of the Committee on Judiciary, one copy of Parker's Digest of the Decisions of the Supreme Court of this State.

Rules suspended and resolution adopted.

By Mr. Wand:

Resolved, That the Chairman of the San Francisco delegation be and he is hereby authorized to employ a clerk for said delegation at a per diem of five dollars, to be paid out of the funds appropriated for payment of the contingent expenses of the Senate.

Rules suspended and resolution adopted.

By Mr. Maclay:

Resolved, That the Sergeant at Arms be authorized to provide a room for the Committee on Corporations.

Rules suspended and resolution adopted.

GENERAL FILE.

Senate Bill No. 72—An Act amendatory of an Act entitled an Act to regulate the settlement of estates of deceased persons, passed May first, eighteen hundred and fifty-one, amended May twelfth, eighteen hundred and sixty-one.

Read third time and passed.

Assembly Bill No. 11—An Act granting James H. Clark, County Superintendent of Public Instruction, leave of absence from the State.

Considered in Committee of the Whole and amended.

IN SENATE.

Amendment made in Committee of the Whole concurred in by the Senate.

Bill read third time and passed; title amended, and amendment to title adopted.

GENERAL FILE RESUMED.

Senate Bill No. 40—An Act for the relief of Henry Kohn.

Upon ordering the bill engrossed, the ayes and noes were demanded by Messrs. Larkin, Minis, and Duffy, and the Senate so ordered by the following vote:

AYES—Messrs. Andross, Banvard, Beck, Betge, Boggs, Boucher, Comte, Crane, Duffy, Dyer, Evans, Farley, Fowler, Garratt, Irwin, Kent, Keys, Maclay, McCoy, McKusick, McMurry, Minis, Neff, O'Connor, Oulton, Pendegast, Turner, Van Ness, Wand, and Wing—30.

NOES—Messrs. De Haven, Finney, Goodale, Larkin, Perkins, Tompkins, Tuttle, and Wilson—8.

Senate Bill No. 74—An Act to legalize certain payments of money on account of the purchase of State school lands.

Referred to the Judiciary Committee, and ordered printed.

[President pro tem in the chair.]

Senate Bill No. 48—An Act concerning the offices of Controller and Treasurer of State.

Recommitted to Finance Committee.

Senate Bill No. 68—An Act for the relief of the indigent sick.

Withdrawn by consent of the Senate.

Senate Bill No. 89—An Act to provide the County Superintendent of Public Instruction of Stanislaus County with an office.

Considered in Committee of the Whole, and amended.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the Senate.

Rules suspended, bill considered engrossed, read third time and passed; title amended, and amendment adopted.

GENERAL FILE RESUMED.

Senate Bill No. 30—An Act to provide for the Institution for the Deaf, Dumb, and Blind.

Ordered engrossed.

Senate Resolution relative to appointment of a Watchman.

Indefinitely postponed.

Senate Resolution relative to Assistant Clerk.

Indefinitely postponed.

Senate Resolution relative to appointment of J. Carroll.

Indefinitely postponed.

Senate Resolution relative to appointing Porter for gallery.

Indefinitely postponed.

Senate Bill No. 64—An Act to appropriate money for the relief of General John A. Sutter.

Rules suspended, bill considered engrossed, read third time and passed; title amended, and amendment adopted.

RESOLUTION.

Mr. Oulton had leave to introduce the following resolution:

Resolved by the Senate, the Assembly concurring, That the Committees on Claims of the Senate and Assembly are hereby appointed a joint committee, to act in conjunction with the Controller and Treasurer of State, to examine and report to this Legislature the amount of all claims outstanding in the State known as "Indian War Claims," and the liability of the State, if any, therefor.

Read first and second times, rules suspended, and resolution adopted.

On motion of Mr. Pendegast, the rules were suspended for the purpose of authorizing the President of the Senate to appoint the committee on the part of the Senate for the revision of the laws.

At one o'clock and forty minutes P. M., on motion of Mr. Duffy, the Senate adjourned.

J. T. FARLEY,
President pro tem.

ROBERT FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Friday, January 12th, 1872.

Senate met pursuant to adjournment.
President pro tem in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Indefinite leave of absence was granted to Mr. Gwin.

REPORTS.

Reports were made as follows:

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 30—An Act to provide for the Institution for the Deaf and Dumb and the Blind.

Also, Senate Bill No. 84—An Act to provide for the erection of a Court House and Jail in the County of Stanislaus.

TUTTLE, for Committee.

By Mr. Maclay:

Mr. PRESIDENT: The Committee on Corporations, to whom was referred Senate Bill No. 87—An Act to amend an Act entitled an Act to provide for the formation of corporations for the accumulation and investment of funds and savings, approved April eleventh, eighteen hundred and sixty-two—have had the same under consideration, and report a substitute and recommend its passage.

MACLAY, Chairman.

By Mr. McMurry:

Mr. PRESIDENT: The Committee on Contingent Expenses, to whom was referred Senate Concurrent Resolution appointing John Cunningham to raise the flag, herewith report the same back, and recommend that it do not pass.

McMURRY, Chairman.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
January 11th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the tenth day of January, eighteen hundred and seventy-two, passed Assembly Bill No. 68—An Act granting W. L. Carter, County Superintendent of Public Schools elect of Shasta County, leave of absence from the State.

Also, on the sixth day of January, passed Assembly Bill No. 56—An Act to prevent the purchasing of stolen goods from minors.

Also, on the sixth day of January, passed Assembly Bill No. 98—An Act supplementary to and amendatory of an Act entitled an Act to authorize the Board of Supervisors of Marin County to issue and sell bonds of said county, and apply the proceeds thereof to the construction of wagon roads in said county, approved March fourth, eighteen hundred and seventy.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 68, above reported, read first and second times and referred to the Committee on Education.

Assembly Bill No. 56, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 98, above reported, read first and second times, rules suspended, bill read a third time and passed.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Keys—An Act to amend an Act to divide the State into judicial districts, approved April twenty-fifth, eighteen hundred and sixty-three.

Read first and second times and referred to the Tuolumne, Stanislaus, and San Joaquin delegations.

By Mr. Wand—An Act to provide for the care of indigent Chinese, Mongolians, and Japanese.

Read first and second times and referred to the Committee on State Hospitals.

By Mr. Irwin—An Act in relation to the claim of James E. Carr against Siskiyou County.

Read first and second times and referred to the Siskiyou delegation.

By Mr. Evans—An Act to provide for the assessment of encumbered real estate.

Read first and second times and referred to the Committee on State and County Revenue.

By Mr. Neff—An Act to provide for the payment of certain witnesses in the case of The People vs. Horace Smith.

Read first and second times and referred to the Committee on Claims.

GENERAL FILE.

Assembly Bill No. 6—An Act to provide for the erection of county buildings in the County of Mendocino.

Taken from the file and laid on the table.

Senate Bill No. 67—An Act to amend an Act entitled an Act to provide five competitive scholarships for the benefit of meritorious young men desirous of entering the State University, approved April first, eighteen hundred and seventy.

Ordered engrossed.

Substitute for Senate Bill No. 27—An Act to prevent the destruction and capture of mocking birds in this State.

Considered in Committee of the Whole, and amended.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the Senate and bill ordered engrossed.

[Mr. Pendegast in the chair.]

GENERAL FILE RESUMED.

Substitute for Senate Bill No. 17—An Act in relation to the salaries of County Judges.

The hour of one o'clock P. M. having arrived—the hour for the consideration of the special order—on motion of Mr. Duffy, the consideration of the same was postponed until this day at one o'clock and thirty minutes P. M.

Mr. O'Connor moved to lay the substitute for Senate Bill No. 17 upon the table.

Upon which motion the ayes and noes were demanded by Messrs. Larkin, Banvard, and Betge, and the Senate so ordered by the following vote:

AYES—Messrs. Andross, Banvard, Betge, Boggs, Comte, Crane, Dyer, Farley, Finney, Fowler, Garratt, Goodale, Irwin, Kent, Keys, Larkin, McCoy, McKusick, McMurry, Minis, Perkins, Turner, Tuttle, and Wing—24.

NOES—Messrs. Boucher, Evans, Hutchings, Neff, O'Connor, Oulton, Pendegast, Tompkins, Van Ness, Wand, and Wilson—11.

[Mr. Farley in the chair.]

Senate Bill No. 71—An Act to amend an Act relating to the duties and compensation of Clerk of the Supreme Court.

Considered in Committee of the Whole and amended.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the Senate; rules suspended, bill considered engrossed, read a third time, and passed.

SPECIAL ORDER.

Senate Bill No. 1—An Act to repeal an Act entitled an Act to empower the Boards of Supervisors of the several counties of the State to aid in the construction of a railroad in their respective counties.

Indefinitely postponed.

REPORT.

The following report was made:

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 54—An Act authorizing the distribution of the Reports of the State Geological Survey.

Also, Senate Bill No. 61—An Act to appropriate money for the relief of General John A. Sutter.

NEFF, for Committee.

APPOINTMENT OF COMMITTEES.

The President pro tem announced the appointment of the following Committees on the Codification of the Laws on the part of the Senate:

ON POLITICAL CODE.

Messrs. Irwin, O'Connor, and Oulton.

ON PENAL CODE, CODE OF CIVIL PROCEDURE, AND CIVIL CODE.

Messrs. Pendegast, Tompkins, and Comte.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
January 12th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the eleventh day of January, eighteen hundred and seventy two, concurred in Senate Concurrent Resolution No. 17—Relative to State Capitol, etc.

Also, on the sixth day of January, passed Assembly Bill No. 44—An Act to authorize County Judges to hold Courts in other counties than those for which they have been elected, in certain cases.

Also, on the sixth day of January, passed Assembly Bill No. 100—An Act to provide for the appointment of two additional Notaries Public for Solano County.

Also, on the sixth day of January, passed Assembly Bill No. 94—An Act supplemental to an Act entitled an Act granting the right of way over certain lands in the Counties of Lake and Sonoma for the construction of a wagon road, approved March fifteenth, eighteen hundred and sixty-four.

Also, on the sixth day of January, passed Assembly Bill No. 73—An Act concerning roads and highways in the County of Yuba.

Also, on the sixth day of January, passed Assembly Bill No. 119—An Act to repeal an Act to create a Board of Water Commissioners in the City of Los Angeles, and to define their powers and duties.

Also, on the eighth day of January, passed Assembly Joint Resolution No. 3—Instructing our Senators and Representatives in Congress to obtain the adoption of such treaty regulations and legislation as shall discourage Chinese immigration.

Also, on the eighth day of January, passed Assembly Joint Resolution No. 5—Relative to the establishment of a tri-weekly mail from the Town of San Diego to Julian, in the County of San Diego.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 44, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 100, above reported, read first and second times and referred to the Solano delegation.

Assembly Bill No. 94, above reported, read first and second times and referred to the Lake, Mendocino, and Sonoma delegations.

Assembly Bill No. 73, above reported, read first and second times, and referred to the Yuba delegation.

Assembly Joint Resolution No. 3, above reported, was read.

Mr. Irwin moved to suspend the rules for the consideration of the resolution above reported.

Upon which the ayes and noes were demanded by Messrs. Tuttle, Larkin, and Irwin, and the Senate refused by the following vote:

AYES—Messrs. Banvard, Beck, Crane, Farley, Hutchings, Irwin, Larkin, McCoy, McKusick, McMurry, Pendegast, Perkins, Turner, Tuttle, Wand, and Wing—16.

NOES—Messrs. Betge, De Haven, Duffy, Dyer, Finney, Fowler, Garratt, Goodale, Keys, Minis, Neff, O'Connor, Oulton, Tompkins, Van Ness, and Wilson—16.

On motion of Mr. Oulton the resolution was referred to the Committee on Federal Relations.

Assembly Bill No. 119, above reported, read first and second times, rules suspended, bill read third time and passed.

Assembly Joint Resolution No. 5, above reported, read first and second times, rules suspended, resolution read third time and adopted.

At one o'clock and thirty-five minutes P. M., on motion of Mr. Wand, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Saturday, January 13th, 1872.

Senate met pursuant to adjournment.
President pro tem in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Mr. Maclay was granted leave of absence for two days.

REPORTS.

Reports were made as follows:

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 79—An Act to fix the terms of the County and Probate Courts of the County of San Luis Obispo.

Also, Senate Bill No. 89—An Act to provide the County Superintendent of Common Schools of Stanislaus County with an office.

Also, Senate Bill No. 40—An Act for the relief of Henry Kohn.

TUTTLE, for the Committee.

By Mr. Tompkins:

Mr. PRESIDENT: The Committee on Judiciary having had under consideration Senate Bill No. 85—An Act concerning the attendance of physicians, and to provide payment for making chemical and post-mortem examinations for Coroners and in Courts of justice—report the same back with a substitute therefor, and recommend the passage of the substitute.

Also, Senate Bill No. 90—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases—report the same back with an amendment, and recommend the passage of the bill as amended.

Also, Senate Bill No. 88—An Act to repeal an Act entitled an Act providing for the recording of certain papers in Santa Clara County, approved April second, eighteen hundred and seventy—report the same back with amendments, and recommend the passage of the bill as amended.

Also, Senate Bill No. 23—An Act to amend an Act entitled an Act to authorize and direct the municipal authorities of the several cities and unincorporated towns of this State to execute certain trusts in relation to the town lands granted to the incorporated cities and towns in this State by the Act of Congress entitled an Act for the relief of the inhabitants of cities and towns upon the public lands, approved March second, eighteen hundred and sixty-seven, approved March twenty-fourth, eighteen hundred and sixty-eight.

Also, Senate Bill No. 97—An Act to enable the Regents of the University of California to renew and secure certain loans and to mortgage and sell certain real estate.

Report the same back, and recommend their passage.

The committee also report back Senate Bill No. 99—An Act concerning corporations—and respectfully request the Senate to have the same printed and re-referred to this committee.

TOMPKINS, Chairman.

On motion of Mr. Tompkins, Senate Bill No. 99, above reported, was ordered printed, and re-referred to the Judiciary Committee.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Wilson—An Act authorizing a telegraph between Los Angeles and Wilmington, in Los Angeles County.

Read first and second times and referred to the Committee on Corporations.

Also, an Act creating a Board of Education for the City of Los Angeles, and authorizing the Common Council of that city to issue bonds for a Special School Building Fund.

Read first and second times and referred to the Committee on Education.

By Mr. Van Ness—An Act to reincorporate the Town of San Luis Obispo.

Read first and second times and referred to the Committee on Corporations.

By Mr. Minis—An Act to authorize the Board of Trustees of Woodland School District, in Yolo County, to borrow money for certain purposes, and give security for the same.

Read first and second times and referred to the Yolo delegation.

By Mr. Evans—An Act fixing the salary of the County Judge of the County of San Joaquin.

Read first and second times and referred to the Judiciary Committee.

MOTIONS AND RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Perkins:

Resolved, That one thousand copies of the Report of the Commission on Fisheries, being an accompanying document of the Governor's message, be printed, and five hundred copies furnished to said Commission for distribution and exchange in the Eastern States and Europe.

Adopted.

By Mr. Beck:

Resolved, That the Committee on Public Buildings be and are hereby authorized to employ a clerk, at a per diem of five dollars, to be paid out of the Contingent Fund of the Senate.

Referred to the Committee on Contingent Expenses.

By Mr. Pendegast:

Resolved, That Hon. J. T. Farley be added to the committee appointed to examine and report upon the Penal Code, Code of Civil Procedure, and Civil Code.

Adopted.

By Mr. Betge:

Resolved, That when the Senate adjourns it shall adjourn to meet again on Tuesday next, at eleven o'clock.

Adopted.

On motion of Mr. Keys, the Amador, Calaveras, and El Dorado delegations were added to the special committee to whom was referred Senate Bill No. 100.

By Mr. Pendegast:

Resolved, That B. A. Mardis be and he is hereby allowed eight dollars per day, from the tenth day of December, eighteen hundred and seventy-one, to the thirteenth day of January, eighteen hundred and seventy-two, inclusive, for services as Clerk to the Sergeant at Arms of the Senate, to be paid out of the Contingent Fund of the Senate.

Referred to the Committee on Contingent Expenses.

REPORT.

The following report was made:

Mr. Minis verbally reported Assembly Bill No. 100—An Act to provide for the appointment of two additional Notaries Public for Solano County—and recommended its passage.

On motion of Mr. Minis, the rules were suspended and Assembly Bill No. 100, above reported, was read a third time and passed.

NOTICE.

Notice of the introduction of a bill was given as follows:

Mr. Pendegast gave notice that he would at an early day introduce a bill entitled an Act to amend an Act entitled an Act to define the duties and liabilities of pawnbrokers and pledgees, approved April seventeenth, eighteen hundred and seventy-one, and for the better management of the affairs thereof.

GENERAL FILE.

Senate Bill No. 43—An Act concerning the Police Judge's Court of the City and County of San Francisco.

Mr. Pendegast moved to make the bill the special order for Friday next at one o'clock P. M.

Upon the motion to make the bill the special order, the ayes and noes were demanded by Messrs. Oulton, Finney, and Duffy, and the Senate refused by the following vote:

AYES—Messrs. Andross, Betge, Boggs, Farley, Hutchings, Kent, Keys, Minis, Pendegast, and Wing—10.

NOES—Messrs. Banvard, Beck, Boucher, Crane, De Haven, Duffy, Dyer, Evans, Finney, Fowler, Garratt, Goodale, Irwin, McKusick, McMurry, Neff, O'Connor, Oulton, Perkins, Tompkins, Turner, Tuttle, Van Ness, Wand, and Wilson—25.

The bill was read a third time and passed.

Senate Bill No. 30—An Act to provide for the Institution for the Deaf, Dumb, and Blind.

Read a third time and passed.

Senate Bill No. 84—An Act to provide for the erection of a Court House and Jail for the County of Stanislaus.

Read a third time and passed.

Substitute for Senate Bill No. 87—An Act to amend an Act entitled an Act to provide for the formation of corporations for the accumulation and investment of funds and savings, approved April eleventh, eighteen hundred and sixty-two.

Referred to the Judiciary Committee and ordered printed.

Senate Concurrent Resolution No. 14—Relative to hoisting flag in front of Capitol.

Indefinitely postponed.

LEAVE OF ABSENCE.

Messrs. Minis, Farley, Goodale, Garratt, Wand, Beck, Boggs, Dyer, Duffy, and McCoy were granted indefinite leave of absence.

At twelve o'clock and thirty minutes P. M., on motion of Mr. Pendegast, the Senate adjourned.

J. T. FARLEY,
President pro tem.

ROBERT FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Tuesday, January 16th, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of Saturday, January thirteenth, read and approved.

REPORTS.

The following reports were made:

By Mr. Tuttle:

Mr. PRESIDENT: Your Committee on Engrossment have examined and find correctly engrossed the following bills:

Senate Bill No. 67—An Act to amend an Act entitled an Act to provide five competitive scholarships for the benefit of meritorious young men desirous of entering the State University, approved April first, eighteen hundred and seventy.

Also, Senate Bill No. 71—An Act to amend an Act entitled an Act relative to the duties and compensation of the Clerk of the Supreme Court.

Also, Senate Bill No. 27—An Act to prevent the capture and destruction of mocking birds and linnets in this State.

TUTTLE, for Committee.

By Mr. McMurry:

Mr. PRESIDENT: The Committee on Contingent Expenses have had under consideration a resolution allowing the Committees on Agriculture and Public Lands to employ a clerk.

Also, a resolution authorizing the Committee on Education to employ a clerk.

Also, a resolution authorizing the Committee on Corporations to employ a clerk.

And herewith report them back without recommendation.

McMURRY, Chairman.

By Mr. Irwin:

Mr. PRESIDENT: The Siskiyou delegation, to whom was referred Senate Bill No. 102—An Act in relation to the claim of James E. Carr against Siskiyou County—beg leave to report it back with amendments, and ask its passage with proposed amendments.

IRWIN, for Committee.

By Mr. Wing:

Mr. PRESIDENT: The Tuolumne delegation, to whom was referred Senate Bill No. 39—An Act authorizing and empowering the Supervisors of the County of Inyo to sell certain real estate belonging to said county—having had the same under consideration, respectfully report the bill back and recommend its passage.

WING,
ANDROSS,
Tuolumne Delegation.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Oulton—An Act to provide for the payment of the claim of Isador Wormser against the State of California.

Read first and second times and referred to the Committee on Claims.

By Mr. Tuttle—An Act to authorize the State Board of Examiners to invest moneys derived from State school lands in the bonds of the several counties of this State.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Wilson—An Act to incorporate the Town of Wilmington, in Los Angeles County.

Read first and second times and, with accompanying documents, referred to the Committee on Corporations.

By Mr. De Haven—An Act to pay the claim of James T. Ryan for services rendered the State of California as Commissioner of War Bonds.

Read first and second times and referred to the Committee on Claims.

By Mr. Banvard—An Act for the relief of George W. Reamer and his associates.

Read first and second times and referred to the Placer and Sacramento delegations.

By Mr. Tuttle—An Act amendatory of an Act entitled an Act to reincorporate the City of Petaluma, approved March twenty-seventh, eighteen hundred and sixty-eight.

Read first and second times and placed on file.

Also, an Act to authorize the erection and maintenance of a bridge in the City of Petaluma.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Tuttle:

Resolved, That the Engrossing Clerk be authorized to amend section two of Senate Bill No. 71—An Act to amend an Act entitled an Act relative to the duties and compensation of the Clerk of the Supreme Court—by striking out the words "this amendment to," so that the section will read: "This Act shall take effect and be in force from and after its passage."

Adopted.

By Mr. Betge:

Resolved, That Senator James McCoy be and he is hereby added to the Committee on Public Buildings and Grounds.

Adopted.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Pendegast, Assembly Bill No. 6—An Act to provide for the erection of county buildings in the County of Mendocino—was taken from the table, considered in Committee of the Whole, and amended.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the Senate, bill read a third time and passed.

FURTHER INTRODUCTION OF BILLS.

Mr. Banvard had leave to introduce the following bill:

An Act to repeal an Act entitled an Act concerning roads and highways in the County of Placer, approved March twenty-ninth, eighteen hundred and seventy.

Read first and second times and placed on file.

On motion of Mr. Evans, Senate Bill No. 103 was ordered printed.

GENERAL FILE.

Senate Bill No. 40—An Act for the relief of Henry Kohn.

Read third time and passed.

Senate Bill No. 85—An Act concerning the attendance of physicians, and to provide payment for making chemical and post-mortem examinations for Coroners and Courts of justice.

Substitute reported by committee adopted, and bill ordered engrossed.

Senate Bill No. 23—An Act to amend an Act entitled an Act to authorize and direct the municipal authorities of the several cities and incorporated towns of this State to execute certain trusts in relation to town lands, etc.

Ordered engrossed.

Senate Bill No. 88—An Act to repeal an Act entitled an Act providing for the recording of the papers filed in the Probate Court of the County of Santa Clara in certain cases, approved April second, eighteen hundred and seventy.

Placed on file.

Senate Bill No. 97—An Act to enable the Regents of the University of California to renew and secure certain loans, and to mortgage and sell certain real estate.

Rules suspended, bill considered engrossed, read third time and passed.

Senate Bill No. 90—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed April twentieth, eighteen hundred and fifty.

Amendments reported by Judiciary Committee adopted, and bill ordered engrossed.

On motion of Mr. Irwin the rules were suspended for the consideration of Senate Bill No. 102—An Act in relation to the claim of James E. Carr against Siskiyou County.

The bill was considered in Committee of the Whole and amended.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the Senate

Rules suspended, bill considered engrossed, read third time and passed.

Mr. Larkin verbally reported Senate Bill No. 103, for the purpose of having the same printed.

AMENDMENT TO SENATE RULE.

Mr. Pendegast offered the following amendment to Rule 49 of the Standing Rules of the Senate:

"No bill or other matter shall be printed (with the exception of bills of a general character), without first being specially ordered by the Senate; and the Sergeant at Arms shall certify to the reception, by the Senate, of all such printed matter, and the quantity, before payment shall be made or bills audited; and maps, accompanying documents, shall not be printed under the general order to print, without the special direction of the Senate."

Read and laid over one day.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
January 13th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twelfth day of January, concurred in Senate Concurrent Resolution No. 19—Relative to joint committee to examine Indian war claims.

Also, on the thirteenth day of January, passed Senate Bill No. 26—An Act to appropriate money for contingent expenses of the Legislature at its eighteenth session.

Also, Assembly Bill No. 15—An Act in relation to sales made by the Garden Land Homestead Association.

Also, Assembly Bill No. 104—An Act to increase the revenue of the School Fund.

BORUCK, Chief Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 15, above reported, read first and second times and referred to the Committee on Corporations.

Assembly Bill No. 104, above reported, read first and second times and referred to the Committee on Education.

At twelve o'clock and twenty minutes P. M., on motion of Mr. Larkin, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Wednesday, January 17th, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

PETITIONS.

By Mr. Comte—From the Sacramento Light Artillery.
Referred to the Committee on Military Affairs.
By Mr. Wilson—From citizens of Los Angeles, relative to the passage of a bill to provide for the erection of a public school building in Los Angeles.
Referred to the Committee on Education.
By Mr. Perkins—Remonstrance from citizens of Butte County against the passage of a bill commonly known as the "No Fence Law," so far as the same applies to Butte County.
Referred to the Committee on Agriculture.

REPORTS.

Reports were made as follows:

By Mr. Banvard:

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 48—An Act concerning the offices of Controller and Treasurer of State—report the same back with substitute, and respectfully recommend the passage of the substitute.

BANVARD, Chairman.

By Mr. Neff:

MR. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 102—An Act in relation to the claim of James E. Carr against Siskiyou County.

NEFF, for Committee.

By Mr. Tuttle:

MR. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 111—An Act to authorize the State Board of Examiners to invest moneys derived from State school lands in the bonds of the several counties of this State.

TUTTLE, for Committee.

By Mr. Larkin:

Mr. PRESIDENT: The Committee on State and County Revenue, to whom was referred Senate Bill No. 82—An Act to provide for indexing the names of persons who have declared their intention to become or have become citizens of the United States, in the several Courts of record in this State—have had the same under consideration, and would report the bill back and recommend its passage.

LARKIN, Chairman.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
January 17th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the eighth day of January, passed Assembly Bill No. 90—An Act to regulate the pay of Grand Jurors in the County of Los Angeles.

Also, on the ninth of January, passed substitute for Assembly Bill No. 92—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one.

Also, Assembly Bill No. 110—An Act to amend an Act entitled an Act concerning roads and highways in the County of Mendocino, approved March, A. D. eighteen hundred and sixty-eight, amended February, A. D. eighteen hundred and seventy.

Also, Assembly Bill No. 117—An Act concerning roads in the County of Humboldt.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 90, above reported, was read first and second times, rules suspended, bill read a third time, and passed.

Substitute for Assembly Bill No. 92, above reported, was read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 110, above reported, was read first and second times and referred to the Committee on Roads and Highways.

Assembly Bill No. 117, above reported, was read first and second times and referred to the Committee on Roads and Highways.

Senate Bill No. 26, heretofore reported from the Assembly with an amendment, was referred to the Committee on Contingent Expenses.

COMMUNICATION.

The President of the Senate presented the following communication:

OFFICE OF CONTROLLER OF STATE,
Sacramento, January 17th, 1872.

To the Hon. R. Pacheco, President of the Senate:

SIR—The appropriation for contingent expenses of the Senate is exhausted. Yours, respectfully,

JAMES J. GREEN.
State Controller.

Referred to the Committee on Contingent Expenses.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. De Haven—An Act amendatory of and supplementary to an Act entitled an Act to incorporate the Town of Eureka, approved April ninth, eighteen hundred and fifty-nine.

Read first and second times and referred to the Judiciary Committee.

By Mr. Keys—An Act to provide for the appointment of a Phonographic Reporter in the County of Stanislaus.

Read first and second times and referred to the Judiciary Committee.

By Mr. Wilson—An Act for the relief of James T. Burns.

Read first and second times, and, with accompanying petition, referred to the Committee on Claims.

By Mr. Neff—An Act to amend an Act entitled an Act to regulate fees of offices and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Read first and second times and referred to the Placer delegation.

By Mr. Comte—An Act for the relief of Samuel Cross.

Read first and second times and referred to the Committee on Claims.

Also, an Act to repay to the Sacramento Light Artillery Company certain moneys, necessarily or purposely expended by it to maintain the efficiency as one of the military arms of the State.

Read first and second times and referred to the Committee on Military Affairs.

By Mr. Pendegast—An Act regulating proceedings in certain actions against physicians and surgeons.

Read first and second times and referred to the Judiciary Committee.

RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Banvard:

Resolved, That W. C. Holt be and he is hereby appointed Assistant Copying Clerk, at a per diem equal to that of the Copying Clerks, to be paid out of the Contingent Fund of the Senate.

Referred to the Committee on Contingent Expenses.
By Mr. Comte:

Resolved, That A. H. Lynch be and he is hereby appointed and employed to copy the Journal of the present session of the Senate for the Printer, to receive therefor the sum of ten cents per folio, the same to be paid out of the appropriation for the contingent expenses of the Senate.

Referred to the Committee on Contingent Expenses.
By Mr. Irwin:

Resolved, That the Committee on Contingent Expenses be and they are hereby directed to procure the Journal of the Senate to be copied and prepared for the State Printer, from day to day during the session of the Legislature, at a cost not to exceed twelve and one half cents per folio; said copying to be computed by the Secretary of State, and the amount due therefor certified to the Controller, who shall draw his warrant for the same on the appropriation for contingent expenses of the Senate.

Adopted.

GENERAL FILE.

Senate Bill No. 27—An Act to prevent the capture and destruction of mocking birds and linnets in this State.

Read third time and passed.

Senate Bill No. 67—An Act to amend an Act entitled an Act to provide five competitive scholarships for the benefit of meritorious young men desirous of entering the State University, approved April first, eighteen hundred and seventy.

Passed on file.

Senate Bill No. 88—An Act to repeal an Act entitled an Act providing for the recording of the papers filed in the Probate Court of the County of Santa Clara in certain cases, approved April second, eighteen hundred and seventy.

Passed on file.

Senate Bill No. 39—An Act authorizing and empowering the Supervisors of the County of Inyo to sell certain real estate belonging to said county.

Ordered engrossed.

Senate Bill No. 115—An Act amendatory of an Act entitled an Act to reincorporate the City of Petaluma.

Ordered engrossed.

Senate Bill No. 117—An Act concerning roads and highways in the County of Placer.

Rules suspended, bill considered engrossed, read third time, and passed.

Senate Resolution—Amendment to Senate Rule 49.

Adopted.

Senate Resolution—Relative to clerk for Committee on Education.

Adopted.

Senate Resolution—Relative to clerk for Committee on Corporations.

Passed on file.

Senate Resolution—Relative to clerk for Committee on Agriculture and Public Lands.

Adopted.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
January 17th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the tenth day of January, eighteen hundred and seventy-two, passed Assembly Bill No. 5—An Act to repeal an Act entitled an Act to protect litigants, approved March twenty-ninth, eighteen hundred and seventy.

Also, on the same day, passed Assembly Bill No. 87—An Act concerning the office of County Clerk in and for the City and County of San Francisco.

Also, on the same day, passed Assembly Bill No. 148—An Act to amend an Act entitled an Act regulating the collection of delinquent taxes in the County of Alameda and to refund certain moneys paid thereunder, approved April fourth, eighteen hundred and seventy.

Also, on the same day, passed Assembly Bill No. 152—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Also, on the eleventh day of January, passed Assembly Bill No. 46—An Act granting leave of absence to P. B. Nagle, District Attorney of Tehama County.

Also, on the same day, passed Assembly Bill No. 53—An Act to distribute the revenue derived from the tax on dogs in Sonoma County.

Also, on the same day, passed Assembly Bill No. 61—An Act concerning hogs running at large in the Counties of Sutter and Nevada.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 5, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 87, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 148, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 46, above reported, read first and second times and placed on file.

Assembly Bill No. 152, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 53, above reported, read first and second times and referred to the Sonoma delegation.

Substitute for Assembly Bill No. 61, above reported, read first and second times and referred to the Sutter and Nevada delegations.

RESOLUTION.

By Mr. Tompkins:

Resolved, That the name of Senator Van Ness be substituted in the place of that of Senator Tompkins as a member of the Special Committee upon the Revision of the Laws.

At twelve o'clock and twenty minutes P. M., on motion of Mr. Larkin, the Senate adjourned.

J. T. FARLEY,
President pro tem.

ROBERT FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Thursday, January 18th, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Mr. Betge was granted leave of absence for two days.

PETITION.

The following petition was presented:

By Mr. Evans—From citizens of Stockton against the passage of Senate Bill No. 99.

Referred to the Judiciary Committee.

REPORTS.

Reports were made as follows:

By Mr. McMurry:

Mr. PRESIDENT: The Committee on Contingent Expenses, to whom was referred Senate Bill No. 26, have had the same under consideration and herewith report the same back, with the recommendation that the Senate do concur in Assembly amendments.

McMURRY, Chairman.

By Mr. Neff:

Mr. President: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 85—An Act concerning the attendance of physicians and surgeons in certain cases, and to provide payment for making chemical and post-mortem examinations.

Also, Senate Bill No. 23—An Act to amend an Act entitled an Act to authorize and direct the municipal authorities of the several cities and incorporated towns of this State to execute certain trusts in relation to the town lands granted to the incorporated cities and towns in this State by the Act of Congress entitled an Act for the relief of the inhabitants of cities and towns upon the public lands, approved March second, eighteen hundred and sixty seven, approved March twenty fourth, eighteen hundred and sixty-eight.

NEFF, for Committee.

By Mr. Tuttle:

Mr. President: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 97—An Act to enable the Regents of the University of California to renew and secure certain loans and to mortgage and sell certain real estate.

Also, Senate Bill No. 116—An Act to authorize the erection and maintenance of a bridge in the City of Petaluma.

TUTTLE, for Committee.

By Mr. Wilson:

Mr. President: Your Committee on Agriculture, to whom was referred Senate Bill No. 1—An Act concerning section eleven of the Act to protect agriculture and to prevent the trespassing of animals upon private property, approved March twenty-sixth, eighteen hundred and sixty-six—having had the same under careful consideration, find that there are such conflicting interests involved, and such diversity of opinions in relation to the subject matter of the bill, that it would be impossible to report any general bill that would not work hardship and injustice to some portion of the State. Your committee, therefore, beg to report the bill back, in order that it may be considered in Committee of the Whole, that such counties as desire to be included in, or excluded from, its operations may be heard through their representatives upon this floor.

All of which is respectfully submitted.

WILSON, Chairman.

By Mr. Perkins:

Mr. President: Your Committee on Claims, to whom was referred Senate Bill No. 32—An Act making appropriation for William Sharp's bill for carpets, matting, etc., furnished the new Capitol—have had the same under consideration, and respectfully report the bill back and recommend its passage.

PERKINS, Chairman.

By Mr. Tompkins:

Mr. President: The Committee on Judiciary have had under consideration Assembly substitute for Assembly Bill No. 56—An Act to prevent

the purchasing of stolen goods from minors—and report the same back, and recommend that it do not pass.

Also, substitute for Senate Bill No. 87—An Act to amend an Act entitled an Act to provide for the formation of corporations for the accumulation and investment of funds and savings, approved April eleventh, eighteen hundred and sixty-two—and report the same back with an amendment thereto, and recommend the adoption of the amendment and the passage of the substitute as amended.

Also, Senate Bill No. 109—An Act fixing the salary of the County Judge of the County of San Joaquin—and report the same back with an amendment, and recommend the adoption of the amendment and the passage of the bill as amended.

TOMPKINS, Chairman.

By Mr. Hutchings:

Mr. President: Your committee, to whom was referred Assembly Bill No. 73—An Act concerning roads and highways in the County of Yuba—report favorably, and recommend its passage.

HUTCHINGS,
CRANE.
Delegation.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

State of California, Executive Department,
Sacramento, January 18th, 1872.

To the Senate of the State of California:

I herewith transmit to your honorable body a communication from Hon. F. Baehr, State Treasurer, and respectfully call your attention to the same. As there is but one copy, I respectfully ask that the Assembly be informed of its receipt.

NEWTON BOOTH, Governor.

CONSIDERATION OF THE MESSAGE.

The communication, above transmitted, was read and referred to the Finance Committee.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Larkin—An Act to authorize the guardian of Frederick D. Montgomery and William F. Montgomery to sell and convey certain real estate.

Read first and second times and referred to the Judiciary Committee.

By Mr. Oulton—An Act in relation to Coroners.

Read first and second times and referred to the Judiciary Committee, and ordered printed.

By Mr. Evans—An Act to provide for the payment of deficiency in the State Insane Asylum appropriation for the twenty-third fiscal year, ending June thirtieth, eighteen hundred and seventy-two.

Read first and second times and referred to the Committee on State Hospitals.

By Mr. Turner—An Act to reserve the public lands of this State for actual settlers.

Read first and second times and referred to the Committee on Public Lands.

By Mr. Tompkins—An Act to provide for the payment of certain coupons upon bonds of the State of California that have been lost.

Read first and second times and referred to the Judiciary Committee.

By Mr. Pendegast—An Act to protect agriculture in a part of Fresno County.

Read first and second times and referred to the Committee on Agriculture.

RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Evans:

Resolved, That the Sergeant at Arms of the Senate be and he is hereby instructed to inquire of the State Printer if he has received a copy, for the printer, of Senate Bill No. 99—An Act concerning corporations—ordered printed January thirteenth. And if so, why said bill has not been printed and returned to the Senate.

Adopted.

By Mr. Tuttle:

Resolved, That by and with the advice of the Engrossing Committee the Engrossing Clerk is hereby authorized to appoint assistants, at the same per diem as is allowed Copying Clerks, payable out of the appropriation for the contingent expenses of the Senate. Such assistants to be appointed from time to time, as may be deemed necessary by the Engrossing Committee.

Referred to the Committee on Contingent Expenses.

GENERAL FILE.

Senate Bill No. 67—An Act to amend an Act entitled an Act to provide five competitive scholarships for the benefit of meritorious young men desirous of entering the State University, approved April first, eighteen hundred and seventy.

Recommitted to the Committee on Education.

Senate Bill No. 88—An Act to repeal an Act entitled an Act providing for the recording of the papers filed in the Probate Court of the County of Santa Clara in certain cases, approved April second, eighteen hundred and seventy.

Ordered at top of file for Tuesday next.

Assembly Bill No. 46—An Act granting leave of absence to P. B. Nagle, District Attorney of Tehama County.

Ordered at top of file for Wednesday next.

[Mr. O'Connor in the chair.]

Senate Bill No. 82—An Act to provide for indexing the names of persons who have declared their intention to become, or who have become,

citizens of the United States, in the several Courts of record in this State.

Rules suspended, bill considered engrossed, read third time and passed. [President in the chair.]

Senate Bill No. 48—An Act concerning the offices of Controller and Treasurer of State.

Substitute reported by Committee on Finance adopted by the Senate; rules suspended, bill considered engrossed, read third time and passed.

Senate Resolution relative to clerk for Committee on Corporations.

Passed on file.

On motion of Mr. McMurry, the Senate took up consideration of Senate Bill No. 26, this day reported from the Committee on Contingent Expenses.

Amendment reported from the Assembly concurred in by the Senate.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
January 18th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the eleventh of January, passed Assembly Bill No. 137—An Act to provide for the keeping of stallions and other animals.

Also, on the twelfth day of January, passed substitute for Assembly Bill No. 60—An Act to authorize the Controller of State to issue duplicate warrants.

Also, on the twelfth day of January, passed Assembly Bill No. 162—An Act amendatory of and supplementary to an Act entitled an Act to provide for the better collection of delinquent taxes in the County of Yuba, approved April twenty-fifth, eighteen hundred and sixty-three.

Also, on the twelfth day of January, passed Assembly Bill No. 146—An Act to amend an Act entitled an Act to create a Board of Education for the City of Marysville, approved April first, eighteen hundred and seventy.

Also, on the twelfth day of January, passed Assembly Bill No. 32—An Act to repeal an Act to provide for the protection of lands in the County of Sutter from overflow, approved April fourth, eighteen hundred and seventy.

Also, on the twelfth day of January, passed Assembly Bill No. 129—An Act to repeal an Act entitled an Act providing for the recording of the papers filed in the Probate Court of the County of Santa Clara in certain cases, approved April second, eighteen hundred and seventy.

Also, on the seventeenth day of January, passed Senate Bill No. 60—An Act to amend an Act entitled an Act concerning attorneys and counselors at law, approved February nineteenth, eighteen hundred and fifty-one—amended, and ask the Senate to concur in the amendments.

Also, on the seventeenth day of January, passed Senate Bill No. 55—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 137, above reported, read first and second times and referred to the Committee on Agriculture.

Substitute for Assembly Bill No. 60, above reported, read first and second times and referred to the Finance Committee.

Assembly Bill No. 162, above reported, read first and second times and referred to the Yuba delegation.

Assembly Bill No. 146, above reported, read first and second times and referred to the Yuba delegation.

Assembly Bill No. 32, above reported, read first and second times and referred to the Committee on Swamp and Overflowed Lands.

Assembly Bill No. 129, above reported, read first and second times and referred to the Santa Clara delegation.

Senate Bill No 60, above reported, was withdrawn.

At twelve o'clock and twenty minutes P. M., on motion of Mr. Neff, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Friday, January 19th, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

PETITIONS.

Petitions were presented as follows:

Mr. Van Ness presented a petition from citizens of the County of San Luis Obispo relative to the passage of a bill known as the "No Fence Law."

Referred to the Committee on Agriculture.

Mr. Evans presented a petition from citizens of San Joaquin County against the passage of Senate Bill No. 99.

Referred to the Judiciary Committee.

REPORTS.

Reports were made as follows:

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and

find correctly engrossed Senate Bill No. 115—An Act amendatory of an Act entitled an Act to reincorporate the City of Petaluma, approved March twenty-seventh, eighteen hundred and sixty-eight.

Also, Senate Bill No. 99—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one.

Also, Senate Bill No. 39—An Act authorizing and empowering the Board of Supervisors of Inyo County to sell certain real estate belonging to said county.

TUTTLE, for Committee.

Mr. PRESIDENT: The Committee on Education, to whom was referred Assembly Bill No. 68, have had the same under consideration, and report the same back, and recommend that it do not pass.

TUTTLE, for Committee.

By Mr. McMurry:

Mr. PRESIDENT: The Committee on Contingent Expenses, to whom was referred a resolution—Allowing the Engrossing Clerk to appoint assistants by and with advice and consent of the Engrossing Committee—herewith report the same back, with the recommendation that it pass.

McMURRY, Chairman.

By Mr. Perkins:

Mr. PRESIDENT: The Committee on Claims have had under consideration Senate Bill No. 113—An Act entitled an Act to pay the claim of James T. Ryan for services rendered the State of California as Commissioner of War Bonds—and respectfully report the same back with an amendment, and recommend the adoption of the amendment and the passage of the bill as amended.

PERKINS, Chairman.

By Mr. Keys:

Mr. PRESIDENT: Your Committee on Hospitals, to whom was referred Senate Bill No. 101—An Act entitled an Act to provide for the care of indigent Chinese, Mongolians, and Japanese—have had the same under consideration, and report the same back and recommend that the bill be referred to the Judiciary Committee, and that said committee be requested to report on the legal questions involved in said bill.

KEYS, Chairman.

By Mr. Banvard:

Mr. PRESIDENT: Your special committee, the Placer delegation, to whom was referred Senate Bill No. 121—An Act to amend an Act to regulate fees of offices and salaries of certain officers, and to repeal certain other Acts in relation thereto—beg leave to report the same back, and recommend its passage, with an amendment.

BANVARD,
NEFF,
of Delegation.

By Mr. Tuttle:

Mr. PRESIDENT: The delegation from Lake and Sonoma Counties, to whom was referred Assembly Bill No. 94—An Act supplemental to an Act granting the right of way over certain lands in the Counties of Lake and Sonoma for the construction of a wagon road, approved March fifteenth, eighteen hundred and sixty-four—ask leave to report the same back and recommend its passage.

TUTTLE, for Delegation.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, January 19th, 1872.

To the Senate of the State of California:

I herewith transmit to your honorable body the Biennial Report of the San Francisco Society for the Prevention of Cruelty to Animals. There being but one copy of this document, I have to request its transmittal to the Assembly.

NEWTON BOOTH, Governor.

BIENNIAL REPORT OF THE SAN FRANCISCO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS. ESTABLISHED MARCH THIRTIETH, A. D. EIGHTEEN HUNDRED AND SIXTY-EIGHT.

SAN FRANCISCO, June, 1871.

To the Honorable the Senate and Assembly of the State of California:

The following gentlemen were elected at the annual meetings of the Society as a Board of Trustees for the fiscal years ending June thirtieth, eighteen hundred and seventy, and June, eighteen hundred and seventy-one:

Henry Gibbons, M. D., R. B. Swain, Ira P. Rankin, J. B. Roberts, M. J. O'Connor, J. W. Stowe, August Helbing, Charles Sonntag, J. S. Hutchinson, F. G. Edwards, W. A. Woodward, J. A. Woodson, William P. Scott, J. N. Davis, Alpheus Bull.

The above mentioned Board of Trustees then proceeded to an election of officers for the ensuing fiscal years, with the following result:

President	Henry Gibbons, M. D.
Vice President	R. B. Swain.
Treasurer	J. S. Hutchinson.
Recording Secretary	William P. Scott.
Corresponding Secretary	J. A. Woodson.

The income of the Society from all sources for the last two years, ending June thirtieth, eighteen hundred and seventy-one, was as follows:

INCOME.

Voluntary subscriptions	$435 00	
Fines for cruelty	135 00	
		$570 00

DISBURSEMENTS.

Witness fees	$20 00	
Printing and stationery	35 00	
Secretary's salary and office rent	515 00	
		$570 00

During the two years there were thirty-five arrests, which resulted in nine convictions, sixteen dismissals, and ten being admonished.

Respectfully submitted.

H. GIBBONS, M. D., President.

Attest: WILLIAM P. SCOTT, Secretary.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
January 18th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this eighteenth day of January, passed Senate Bill No. 64—An Act to appropriate money for the relief of General John A. Sutter.

Also, on this eighteenth day of January, passed Senate Bill No. 102—An Act in relation to the claim of James E. Carr against Siskiyou County.

Also, on the same day, passed Senate Bill No. 38—An Act making appropriation for translating into Spanish the several State documents ordered translated during the eighteenth session of the Legislature of the State of California.

Also, on the same day, passed Senate Bill No. 30—An Act to provide for the Institution for the Deaf and Dumb and Blind.

BORUCK, Chief Clerk.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Tuttle—An Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act concerning estray

animals, passed April nineteenth, eighteen hundred and fifty-six, approved March twenty-eighth, eighteen hundred and fifty-nine.

Read first and second times and referred to the Committee on Agriculture.

By Mr. Tuttle—An Act to amend an Act entitled an Act to prevent the trespassing of animals upon private property, approved March thirty-first, eighteen hundred and fifty-five.

Read first and second times and referred to the Committee on Agriculture.

By Mr. Pendegast—An Act to appropriate money for the erection of a monument to ex-Governor John Bigler.

Read first and second times and placed on file.

By Mr. Wang—An Act to appropriate money to pay for services rendered the State by D. W. Murphy.

Read first and second times and referred to the Committee on Claims.

RESOLUTION.

By Mr. Irwin:

Resolved by the Senate, the Assembly concurring, That the Joint Committees on the Codes be and they are hereby empowered to appoint a Porter at a per diem of four dollars, payable, one half out of the appropriation for the contingent expenses of the Senate, and, one half out of the appropriation for the contingent expenses of the Assembly, and that the Controller be instructed to draw his warrants from time to time on said appropriations in favor of the person who shall be appointed under the authority herein given for such sums as shall be due him.

Adopted.

GENERAL FILE.

Senate Bill No. 23—An Act to amend an Act entitled an Act to authorize and direct the municipal authorities of the several cities and incorporated towns of this State to execute certain trusts in relation to town lands, etc.

Read third time and passed.

Senate Bill No. 85—An Act concerning the attendance of physicians, and to provide payment for making chemical and post-mortem examinations for Coroners and Courts of justice.

Read third time and passed.

Assembly Bill No. 56—An Act to prevent the purchasing of stolen goods from minors.

Indefinitely postponed.

Assembly Bill No. 73—An Act concerning roads and highways in the County of Yuba.

Read third time and passed.

Senate Bill No. 4—An Act concerning section eleven of an Act to protect agriculture and to prevent the trespassing of animals upon private property, approved March twenty-sixth, eighteen hundred and sixty-six.

On motion of Mr. Pendegast the above bill, and all others of the same nature, was made the special order for Wednesday next, at one o'clock P. M.

Senate Bill No. 32—An Act making an appropriation for William Sharp's bill for carpets, matting, etc., furnished the new Capitol.

Ordered engrossed.

Senate Bill No. 109—An Act fixing the salary of the County Judge of the County of San Joaquin.

Amendments reported by Judiciary Committee adopted by the Senate; rules suspended, bill considered engrossed, read third time and passed.

Substitute for Senate Bill No. 87—An Act to amend an Act entitled an Act to provide for the formation of corporations for the accumulation and investment of funds and savings, approved April eleventh, eighteen hundred and sixty-two.

Amendments to the substitute, reported by the Judiciary Committee, adopted by the Senate; rules suspended, bill considered engrossed, read third time and passed.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
January 19th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twelfth day of January, passed Assembly Bill No. 116—An Act to amend an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty ninth, eighteen hundred and fifty one, and other Acts amendatory thereto.

Also, on the thirteenth day of January, passed Assembly Bill No. 136—An Act to amend an Act entitled an Act to provide for the liquidation of all claims against the State not otherwise provided for by law, approved April first, eighteen hundred and seventy.

Also, on the thirteenth day of January, passed Assembly Joint Resolution No. 4—Relative to instructing our Senators and requesting our Representatives to urge the establishment of weekly mails from Millville, in Shasta County, to Lake City, in Siskiyou County.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Substitute for Assembly Bill No. 116, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 136, above reported, read first and second times and referred to the Committee on Claims.

Assembly Joint Resolution No. 4, above reported, read first and second times and referred to the Committee on Federal Relations.

PETITION.

Mr. Keys presented a petition from citizens of Fresno County for the extension of the provisions of the "No Fence Law" to that county.

Referred to the Committee on Agriculture.

At twelve o'clock and ten minutes P. M., on motion of Mr. Larkin, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Saturday, January 20th, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

PETITIONS.

The following petitions were presented:

Mr. Evans presented a remonstrance from citizens of San Joaquin County against the passage of Senate Bill No. 99.

Referred to the Judiciary Committee.

Mr. Perkins presented a petition and remonstrance of citizens of Butte County relative to Senate Bill No. 4.

The petition and remonstrance were severally referred to the Committee on Agriculture.

CONTESTED ELECTION.

The President presented certain papers in the matter of the contested election case of Flint vs. Beck.

Referred to the Committee on Elections.

REPORTS.

The following reports were made:

By Mr. Banvard:

Mr. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 98—An Act for the relief and support of the California Labor and Employment Exchange—beg leave to report that they have had the same under consideration, and recommend the passage of the bill as amended by the committee.

Also, Substitute for Assembly Bill No. 60—An Act to authorize the Controller of State to issue duplicate warrants—and recommend its passage.

BANVARD, Chairman.

By Mr. Keys:

Mr. PRESIDENT: The Hospital Committee, to whom was referred Senate Bill No. 127—An Act entitled an Act to provide for the payment of the deficiency in the State Insane Asylum appropriation for the twenty-third fiscal year, ending June thirtieth, eighteen hundred and seventy-two—have had the same under consideration, and report the same back and recommend its passage.

KEYS, Chairman.

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 82—An Act to provide for indexing the names of persons who have declared their intention to become, or who have become, citizens of the United States, in the several Courts of record in this State.

Also, Senate Bill No. 48—An Act prescribing certain duties to be performed by the State Controller, State Treasurer, and State Board of Examiners.

Also, Senate Bill No. 32—An Act making an appropriation for the payment of William Sharp's bill for carpets, matting, etc. for the new Capitol.

NEFF, for Committee.

By Mr. Tompkins:

Mr. PRESIDENT: The Committee on Judiciary have had under consideration Senate Bill No. 118—An Act amendatory of and supplementary to an Act entitled an Act to incorporate the Town of Eureka, approved April ninth, eighteen hundred and fifty-nine.

Also, Senate Bill No. 129—An Act to provide for the payment of certain coupons upon bonds of the State of California that have been lost.

Also, Assembly substitute for Assembly Bill No. 148—An Act to amend an Act entitled an Act regulating the collection of delinquent taxes in the County of Alameda, approved April fourth, eighteen hundred and seventy, and to refund certain moneys paid thereunder.

And report the same back and recommend the passage of the several bills.

Also, Senate Bill No. 86—An Act to amend an Act entitled an Act to relieve owners of encumbered real estate from double taxation, approved April fourth, eighteen hundred and seventy—and report the same back with a substitute, and recommend the passage of the substitute.

Also, Senate Bill No. 74—An Act to legalize certain payments of money on account of the purchase of State school lands, with the Senate amendment thereto—and report the same back with an amendment adopted by the committee in lieu of the Senate amendment, and recommend the adoption of the amendment reported, and the passage of the bill as amended.

Also, Senate Bill No. 119—An Act to provide for the appointment of a Phonographic Reporter in the County of Stanislaus—and report the same back and recommend that it do not pass.

Also, Senate Bill No. 125—An Act to authorize the guardian of Frederick D. Montgomery and William F. Montgomery to sell and convey certain real estate—and report the same back. Your committee are of the opinion that if the bill should pass the Act would be invalid, and that the sale thereunder of any property would convey no title thereto, and therefore recommend that it do not pass.

Your committee, at the request of the author, report back, without recommendation, Senate Bill No. 21—An Act to encourage the investment of foreign capital in the State of California—as he wishes to obtain leave to withdraw the same.

TOMPKINS, Chairman.

Mr. Perkins verbally reported Senate Bill No. 120—An Act for the

relief of James F. Burns—without recommendation, and on motion, the same was referred to the Finance Committee.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
January 20th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the seventeenth day of January, passed Assembly Bill No. 139—Proposed amendment to the Constitution of the State of California.

Also, on the same day, passed Assembly Bill No. 131—An Act to provide for the appointment of two additional Notaries Public for the County of Contra Costa.

Also, on the same day, passed Assembly Bill No. 157—An Act to amend an Act entitled an Act concerning jurors in the City and County of San Francisco, approved May twentieth, eighteen hundred and sixty-one.

Also, on the same day, passed Assembly Bill No. 143—An Act to amend an Act providing for the appointment of additional Notaries Public in Sacramento County, approved April fourth, eighteen hundred and seventy.

Also, on the eighteenth day of January, passed substitute for Assembly Bill No. 132—An Act to improve the Little Truckee River for rafting and floating logs, timber, and wood, and to provide for the collection of tolls thereon.

Also, passed on the same day, Assembly Bill No. 67—An Act defining the time within which certain actions may be brought.

Also, on the seventeenth day of January, passed Assembly Bill No. 172—An Act to provide for the appointment of two additional Notaries Public in the County of Butte.

Also, on the same day, passed substitute for Assembly Bill No. 171—An Act to authorize the payment to James Carroll of his unpaid salary as Supervisor of Amador County.

Also, on the same day, passed Assembly Bill No. 166—An Act making an appropriation for deficiencies for the twenty-third fiscal year, ending the thirtieth day of June, eighteen hundred and seventy-two.

Also, on the eighteenth day of January, passed Assembly Bill No. 128—An Act to legalize the assessment and equalization of taxes in the County of El Dorado.

Also, on the nineteenth day of January, passed Senate Bill No. 89—An Act to provide the County Superintendent of Common Schools of Stanislaus County with an office.

Also, on the nineteenth day of January, passed, under a suspension of the rules, Assembly Bill No. 206—An Act to provide a Contingent Fund for the use of the Assembly at the nineteenth session of the Legislature.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 172, above reported, read first and second times and placed on file.

Assembly Bill No. 171, above reported, read first and second times and referred to the Amador delegation.

Assembly Bill No. 166, above reported, read first and second times and referred to the Finance Committee.

Assembly Bill No. 128, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 206, above reported, read first and second times, rules suspended, bill considered in Committee of the Whole and amended.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the Senate, bill read a third time and passed; title amended and amendment adopted.

CONSIDERATION OF ASSEMBLY MESSAGE CONTINUED.

Assembly Bill No. 139, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 131, above reported, read first and second times and placed on file.

Assembly Bill No. 157, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 143, above reported, read first and second times and referred to the Sacramento delegation.

Assembly Bill No. 132, above reported, read first and second times and referred to the Sierra and Nevada delegations.

Assembly Bill No. 67, above reported, read first and second times and referred to Judiciary Committee.

REMONSTRANCE.

Mr. Farley presented a remonstrance from citizens of Amador County against the passage of a bill known as the "No Fence Law."

Referred to the Committee on Agriculture.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Oulton—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two.

Read first and second times and referred to the San Francisco delegation.

By Mr. Van Ness—An Act concerning roads in the Counties of Santa Barbara and San Luis Obispo.

Read first and second times and referred to the Committee on Roads and Highways.

By Mr. McKusick—Concurrent resolution relative to the establishment of a mail route from Lake Valley, El Dorado County, California, to Genoa, in the State of Nevada.

Read first and second times, rules suspended, resolution considered engrossed, read a third time, and adopted.

MOTIONS AND RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Evans:

Resolved, That when the Senate adjourns it will adjourn until Monday, January twenty-second, at half-past two o'clock P. M.

Adopted.

By Mr. Banvard:

Resolved, That the Engrossing Clerk of the Senate be and is hereby authorized to correct Senate Bill No. 117—An Act to repeal an Act entitled an Act concerning roads and highways in the County of Placer, approved March twenty-ninth, eighteen hundred and seventy—by substituting the words "March twenty-ninth" for "April sixth" in the first section.

Adopted.

By Mr. Fowler:

Resolved, That the Sergeant at Arms of the Senate be instructed to procure a suitable room for the meetings of the Committees on Agriculture and on Public Lands.

Adopted.

By Mr. McKusick:

Resolved, That the Enrolling Clerk of the Senate be and he is hereby authorized to appoint such assistants as the Enrolling Committee may deem necessary, at the same per diem allowed Copying Clerks, to be paid out of the Contingent Fund of the Senate.

Referred to the Committee on Contingent Expenses.

NOTICE.

Notice of the introduction of a bill was given as follows:

By Mr. Van Ness—I give notice that on Tuesday next I will introduce a bill concerning estrays in the Counties of Santa Barbara and San Luis Obispo.

GENERAL FILE.

Senate Bill No. 39—An Act authorizing and empowering the Supervisors of the County of Inyo to sell certain real estate belonging to said county.

Read a third time and passed.

Senate Bill No. 90—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one.

Read a third time and passed.

Senate Bill No. 115—An Act amendatory of an Act entitled an Act to

reincorporate the City of Petaluma, approved May twenty-seventh, eighteen hundred and sixty-eight.

Read a third time and passed.

[Mr. Farley in the chair.]

Assembly Bill No. 68—An Act granting W. L. Carter, County Superintendent of Public Schools elect of Shasta County, leave of absence from the State.

Read a third time, and upon the passage of the bill the ayes and noes were demanded by Messrs. Pendegast, Maclay, and Neff, and the bill was passed by the following vote:

AYES—Messrs. Andross, Banyard, Boucher, Comte, Crane, De Haven, Farley, Fowler, Hutchings, Irwin, Keys, Larkin, Maclay, McKusick, McMurry, Minis, Van Ness, and Wing—18.

NOES—Messrs. Dyer, Finney, Neff, O'Connor, Oulton, Pendegast, Perkins, Tompkins, Turner, Tuttle, and Wilson—11.

Senate Resolution—Relative to Assistant Engrossing Clerk.

Adopted.

Senate Bill No. 113—An Act to pay the claim of James T. Ryan for services rendered the State of California as Commissioner of War Bonds.

Amendment reported by the Committee on Claims, adopted by the Senate, and bill ordered engrossed.

REPORT.

The following report was made:

By Mr. Hutchings:

Mr. PRESIDENT: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled the following Senate bills:

Senate Bill No. 26—An Act to appropriate money for contingent expenses of the Legislature at its eighteenth session.

Also, Senate Bill No. 55—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public, and defining their duties.

Also, Senate Bill No. 64—An Act to appropriate money for the relief of General John A. Sutter.

Also, Senate Bill No. 102—An Act in relation to the claim of James E. Carr against Siskiyou County.

And delivered the same to the Governor for his signature at eleven o'clock and fifty-five minutes A. M.

HUTCHINGS, Chairman.

[Mr. O'Connor in the chair.]

SUSPENSION OF THE RULES.

On motion of Mr. Farley, the rules were suspended for the consideration of Senate Bill No. 74, this day reported by the Judiciary Committee.

Amendment reported by the Judiciary Committee adopted by the Senate.

The rules were further suspended, bill considered engrossed, and read a third time.

Upon the passage of the bill the ayes and noes were demanded by Messrs. Turner, Crane, and Finney, and the bill was passed by the following vote:

AYES—Messrs. Andross, Banvard, Beige, Comte, Dyer, Farley, Fowler, Irwin, Keys, Maclay, McKusick, McMurry, Minis, Neff, O'Connor, Oulton, Pendegast, Tompkins, Wilson, and Wing—20.

NOES—Messrs. Boucher, Crane, Finney, and Turner—4.

At twelve o'clock and fifty-three minutes P. M., on motion of Mr. Maclay, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Monday, January 22d, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of Saturday read and approved.

LEAVE OF ABSENCE.

Messrs. Kent and Wing were granted leave of absence for one day.

REMONSTRANCE.

Mr. O'Connor presented a remonstrance from citizens of Nevada County, against the passage of the "No Fence Law."

Referred to the Committee on Agriculture.

PETITION.

Mr. Perkins presented a petition from citizens of Butte County, for the passage of Senate Bill No. 4.

Referred to the Committee on Agriculture.

REPORTS.

The following reports were made:

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 117—An Act to repeal an Act

entitled an Act concerning roads and highways in the County of Placer, approved March twenty-ninth, eighteen hundred and seventy.

Also, Senate Bill No. 89—An Act to amend an Act entitled an Act to provide for the formation of corporations for the accumulation and investment of funds and savings, approved April eleventh, eighteen hundred and sixty-two.

Also, Senate Bill No. 109—An Act fixing the salary of the County Judge of the County of San Joaquin.

TUTTLE, for Committee.

By Mr. O'Connor:

Mr. President: The Nevada and Sierra delegations, to whom was referred substitute for Assembly Bill No. 132, have had the same under consideration, and would recommend the passage of the bill.

O'CONNOR, for Delegations.

Mr. Maclay verbally reported Senate Bill No. 129, with an amendment, and recommended its passage as amended.

By Mr. Perkins:

Mr. President: The Committee on Claims have had under consideration Senate Bill No. 110—An Act to provide for the payment of the claim of Isador Wormser against the State of California—and report the same back to the Senate and respectfully recommend its passage.

Also, Assembly Bill No. 136—An Act to amend an Act entitled an Act to provide for the legislation of all claims against the State not otherwise provided for by law, approved April first, eighteen hundred and seventy—and report the same back to the Senate and respectfully recommend its passage.

PERKINS, Chairman.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

Assembly Chamber,
January 20th, 1872.

Mr. President: I am directed to inform your honorable body that the Assembly, on this twentieth day of January, eighteen hundred and seventy-two, concurred in Senate Concurrent Resolution No. 20—Relative to employment of a porter for Committee on Codes.

Also, on this twentieth day of January, Assembly Concurrent Resolution No. 12—Relative to reception of Grand Duke Alexis.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Concurrent Resolution No. 12, above reported, read and ordered on file.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Irwin—An Act to prevent the destruction of forests by fire on public lands.

Read first and second times and referred to the Judiciary Committee.

By Mr. Boggs—An Act to provide for the collection of delinquent school taxes in Colusa School District, in the County of Colusa.

Read first and second times and referred to the Judiciary Committee.

By Mr. Neff—An Act to provide for the payment of the principal and interest on California Indian war bond number thirty-four.

Read first and second times and referred to the Committee on Claims.

By Mr. McKusick—An Act to amend an Act entitled an Act for the protection of game, approved May thirteenth, eighteen hundred and fifty-four.

Read first and second times and placed on file.

By Mr. Boggs—An Act for the relief of Jonas Speet.

Read first and second times, and with accompanying documents, referred to the Committee on Claims.

By Mr. Comte—An Act for the relief of the Sarsfield Grenadier Guard of the City of Sacramento.

Read first and second times and referred to the Committee on Military Affairs.

By Mr. Boggs—An Act to authorize the Board of Supervisors of Colusa County to levy a special tax.

Read first and second times and referred to the Judiciary Committee.

By Mr. Pendegast—An Act respecting the limitation of actions.

Read first and second times and referred to the Judiciary Committee.

REPORT.

Mr. McMurry, from the Committee on Contingent Expenses, verbally reported Senate Resolution relative to appointing W. C. Holt Assistant Copying Clerk, without recommendation.

RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Betge:

Resolved, That reports from Senate delegations shall always be referred back to a standing committee of the Senate.

Adopted.

By Mr. Tuttle:

Resolved, That a committee of five be appointed by the chair to inquire into the expediency of removing the State University to San Jose, connecting with it the State Normal School, and also the location of a branch Insane Asylum on the present University grounds at Berkeley, and also the expediency of connecting the State Normal School with the University at or near Oakland.

Referred to the Committee on Education.
By Mr. Betge:

Resolved, That the Committee on Federal Relations and the Committee on Commerce and Navigation jointly be and they are hereby authorized to appoint a clerk, at the same per diem as paid to committee clerks of the Senate.

Referred to the Committee on Contingent Expenses.
By Mr. Farley:

Resolved, That the two Copying Clerks of the Senate be and they are hereby authorized to appoint one assistant each, who shall receive the same per diem that said Copying Clerks receive, payable out of the appropriation for the contingent expenses of the Senate.

Referred to the Committee on Contingent Expenses.
By Mr. Keys:

Resolved by the Senate, the Assembly concurring, That the respective Committees of each House, on Printing, be requested to report as early as possible the probable cost of the printing of ten thousand copies of the "Report of the Commissioner of Lunacy," and the State Printer is hereby instructed to delay work on said Report until further order.

Adopted.

GENERAL FILE.

Senate Bill No. 32—An Act making an appropriation for William Sharp's bill for carpets, matting, etc., furnished the new Capitol.

Read third time and passed.

Assembly Bill No. 94—An Act supplemental to an Act entitled an Act granting the right of way over certain lands in the Counties of Lake and Sonoma for the construction of a wagon road, approved March fifteenth, eighteen hundred and sixty-four.

Read third time and passed.

Substitute for Assembly Bill No. 60—An Act to authorize the Controller of State to issue duplicate warrants.

Read third time and passed.

Assembly Bill No. 172—An Act to provide for the appointment of two additional Notaries Public for the County of Butte.

Read third time and passed.

Substitute for Assembly Bill No. 148—An Act to amend an Act entitled an Act regulating the collection of delinquent taxes in the County of Alameda, approved April fourth, eighteen hundred and seventy, and to refund certain moneys paid thereunder.

Read third time and passed.

Assembly Bill No. 131—An Act to provide for the appointment of two additional Notaries Public for the County of Contra Costa.

Passed on file.

Senate Bill No. 121—An Act to amend an Act entitled an Act to regulate fees of offices and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Recommitted to the Placer delegation.

Senate Bill No. 86—An Act to amend an Act to relieve owners of encumbered real estate from double taxation.

Substitute reported by Judiciary Committee. Adopted by the Senate and ordered printed, and made the special order for Thursday next at twelve o'clock M.

Senate Bill No. 21—An Act to encourage the investment of foreign capital in the State of California.

Withdrawn.

Senate Bill No. 133—An Act to appropriate money for the erection of a monument to ex-Governor John Bigler.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 98—An Act for the relief and support of the California Labor and Employment Exchange.

Considered in Committee of the Whole and amended.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the Senate, and upon ordering the bill engrossed the ayes and noes were demanded by Messrs. Beige, Maclay, and Larkin, and the Senate so ordered by the following vote:

AYES—Messrs. Banyard, Beige, Comte, Evans, Farley, Finney, Garratt, Hutchings, Irwin, Maclay, Minis, Neff, Oulton, Pendegast, Perkins, Tompkins, Van Ness, Wand, and Wilson—19.

NOES—Messrs. Andross, Boggs, Boucher, Crane, De Haven, Dyer, Fowler, Goodale, Keys, Larkin, McCoy, McKusick, McMurry, O'Connor, Turner, and Tuttle—16.

At four o'clock and forty-five minutes P. M., Mr. Maclay moved to adjourn.

Lost.

GENERAL FILE RESUMED.

Senate Bill No. 125—An Act to authorize the guardian of Frederick D. Montgomery and William F. Montgomery to sell and convey certain real estate.

Withdrawn.

Senate Bill No. 127—An Act to provide for the payment of deficiency in the State Insane Asylum appropriation for the twenty-third fiscal year, ending June thirtieth, eighteen hundred and seventy-two.

Ordered engrossed.

Senate Bill No. 118—An Act amendatory of and supplementary to an Act entitled an Act to incorporate the Town of Eureka, approved April ninth, eighteen hundred and fifty-nine.

Recommitted to the Judiciary Committee.

Senate Bill No. 129—An Act to provide for the payment of certain coupons upon bonds of the State of California that have been lost.

Rules suspended, bill considered engrossed, read a third time, and passed.

Senate Bill No. 119—An Act to provide for the appointment of a Phonographic Reporter in the County of Stanislaus.

Withdrawn.

Mr. Maclay had leave to withdraw Senate Bill No. 88.

At four o'clock and fifty-five minutes P. M., on motion of Mr. Pendegast, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Tuesday, January 23d, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

PETITION.

Mr. Duffy presented a petition from citizens of Tulare County for the passage of a "No Fence Law."

Referred to the Committee on Agriculture.

REPORTS.

The following reports were made:

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 113—An Act to pay the claim of James T. Ryan for services rendered the State of California as Commissioner of War Bonds.

Also, Senate Bill No. 74—An Act to legalize certain payments of money on account of the purchase of State school lands.

Also, Senate Concurrent Resolution No. 21—Relative to a mail route from Lake Valley, El Dorado County, California, to Genoa, in the State of Nevada.

NEFF, for Committee.

By Mr. Crane:

Mr. PRESIDENT: Your committee to whom was referred Assembly Bill No. 146—An Act to amend an Act entitled an Act to create a Board of Education for the City of Marysville, approved April first, eighteen hundred and seventy—respectfully report the same back and recommend its passage.

HUTCHINGS,
CRANE,
Delegation.

On motion of Mr. Crane, the rules were suspended for the consideration of Assembly Bill No. 146, above reported.

Rules further suspended, bill read a third time and passed.

By Mr. Banvard:

Mr. PRESIDENT: Your special committee, the Sacramento and Placer delegations, to whom was referred Senate Bill No. 114—An Act for the relief of George W. Reamer and his associates—beg leave to report that they have had the same under consideration, and recommend its passage.

BANVARD,
NEFF,
of Placer Delegation.
DUFFY,
COMTE,
of Sacramento Delegation.

Mr. Minis verbally reported Senate Bill No. 108, which was referred to the Committee on Education.

By Mr. McMurry:

Mr. PRESIDENT: The Committee on Contingent Expenses have had under consideration a resolution authorizing the Committee on Public Buildings to employ a clerk, report it back with amendment, and recommend that it pass as amended.

Also, a resolution allowing Philip Oppenheim seven days pay for work in office of Sergeant at Arms.

Also, a resolution relative to paying B. A. Mardis for services as Clerk of Sergeant at Arms, and report the same back with the recommendation that they pass.

McMURRY, Chairman.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, January 20th, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 26—An Act to appropriate money for contingent expenses of the Legislature at its eighteenth session.

Also, Senate Bill No. 64—An Act to appropriate money for the relief of General John A. Sutter.

Also, Senate Bill No. 55—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two.

Also, Senate Bill No. 102—An Act in relation to the claim of James E. Carr against Siskiyou County.

NEWTON BOOTH, Governor.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
January 22d, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the seventeenth day of January, passed Assembly Bill No. 51—An Act to provide for the government of the County of San Diego.

Also, on the eighteenth instant, passed Assembly Bill No. 160—An Act to protect agriculture and to prevent the trespassing of animals upon private property in the Counties of Los Angeles and San Diego.

Also, on the same day, passed Assembly Bill No. 194—An Act fixing the salary of the County Judge of Los Angeles County.

Also, on the same day, passed Assembly Bill No. 194—An Act concerning the compensation of certain county officers in the County of Los Angeles.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 51, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 160, above reported, read first and second times and referred to the Los Angeles and San Diego delegations.

Assembly Bill No. 194, above reported, read first and second times and placed on file.

Assembly Bill No. 195, above reported, read first and second times and placed on file.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Finney—An Act amendatory of and supplementary to an Act entitled an Act to amend an Act to provide a system of common schools, approved April fourth, eighteen hundred and seventy.

Read first and second times and referred to the Committee on Education, and ordered printed.

By Mr. Finney—An Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one.

Read first and second times, and referred to the Judiciary Committee and ordered printed.

By Mr. Van Ness—An Act to authorize the Board of Supervisors of Santa Barbara County to build a Court House and Jail in said county, to issue bonds of the said county for the construction thereof, and to provide for the payment of the same.

Read first and second times, rules suspended, bill considered in Committee of the Whole and amended.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the

Senate, rules suspended, bill considered engrossed, read a third time and passed.

MEMORIAL.

By Mr. Tompkins—Memorial asking aid from Congress for irrigating purposes.

Referred to the Committee on Federal Relations and ordered printed.

FURTHER INTRODUCTION OF BILLS.

By Mr. Wand—An Act to appropriate money to pay certain outstanding Indian war bonds issued by the State of California under an Act of the Legislature approved May third, eighteen hundred and fifty-two, and Acts supplementary thereto.

Read first and second times and referred to the Committee on Claims.

By Mr. Pendegast—An Act for the relief of John B. Harmon.

Read first and second times and referred to the Judiciary Committee.

MOTIONS, RESOLUTIONS, AND NOTICES.

By Mr. Farley:

Resolved, That the sum of five hundred and forty-one dollars and ten cents be and the same is hereby allowed, in addition to the amount already allowed, for writing up the Journals and Appendix of the Senate at its eighteenth session; and the Controller of State is hereby authorized and directed to draw his warrant on the Treasurer in favor of J. B. Stevens for the amount, payable out of the appropriation for contingent expenses of the Senate.

Rules suspended and the resolution adopted.

By Mr. Evans:

Resolved, That the Controller of State be and he is hereby requested to furnish the Senate forthwith with a certified copy of any and all of the report or reports that have been made to him by any savings and loan society, corporation, firm, or individual, of moneys left with them by borrowers as security for or indemnity against the tax upon any mortgage or the debt secured thereby, as required by the provisions of an Act entitled an Act to relieve owners of encumbered real estate from double taxation, approved April fourth, eighteen hundred and seventy. Also, how much if any money so held as security, etc., has been paid into the State Treasury upon the order of the State Controller under the provisions of the said Act.

Adopted.

On motion of Mr. Banvard, the vote by which the Senate on yesterday adopted a resolution relative to printing the report of the Commissioner on Lunacy was reconsidered.

Mr. Minis moved to indefinitely postpone the resolution.

Upon which the ayes and noes were demanded by Messrs. O'Connor, Oulton, and Betge, and the Senate so ordered by the following vote:

AYES—Messrs. Banvard, Beck, Boggs, Comte, Duffy, Evans, Farley,

Fowler, Hutchings, Kent, Larkin, Maclay, McCoy, Minis, Neff, Pendegast, Turner, Van Ness, and Wand—19.

Noes—Messrs. Andross, Betge, Boucher, Crane, Dyer, Finney, Garratt, Goodale, Irwin, Keys, McKusick, O'Connor, Oulton, Tompkins, Wilson, and Wing—16.

GENERAL FILE.

Assembly Bill No. 131—An Act to provide for the appointment of two additional Notaries Public for the County of Contra Costa.

Considered in Committee of the Whole and amended.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the Senate, read third time and passed; title amended and amendment adopted.

GENERAL FILE RESUMED.

Assembly Bill No. 132—An Act to improve the Little Truckee River for rafting and floating logs, timber, and wood, and to provide for the collection of tolls thereon.

Considered in Committee of the Whole and amended.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the Senate, and on motion referred to the Judiciary Committee.

GENERAL FILE RESUMED.

Assembly Bill No. 129—An Act to repeal an Act entitled an Act providing for the recording of the papers filed in the Probate Court of the County of Santa Clara in certain cases, approved April seventh, eighteen hundred and seventy.

Considered in Committee of the Whole and amended.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the Senate, bill read a third time and passed.

GENERAL FILE RESUMED.

Assembly Bill No. 136—An Act to amend an Act entitled an Act to provide for the liquidation of all claims against the State not otherwise provided for by law, approved April first, eighteen hundred and seventy.

Read a third time and passed.

Senate Bill No. 110—An Act to provide for the payment of the claim of Isador Wormser against the State of California.

Considered in Committee of the Whole and amended.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the

Senate, rules suspended, bill considered engrossed, read third time and passed.

GENERAL FILE RESUMED.

Senate Resolution—Relative to appointment of assistant Enrolling Clerks.

Adopted.

Senate Resolution—Relative to Clerk for Committee on Corporations.

Adopted.

Senate Resolution—Relative to assistant Copying Clerks.

REPORT.

Mr. McMurry verbally reported Senate resolution relative to authorizing the Copying Clerks of the Senate to appoint one assistant each, without recommendation.

Mr. Farley moved the adoption of the resolution above reported, as a substitute for the resolution reported yesterday.

Upon the adoption of the substitute the ayes and noes were demanded by Messrs. O'Connor, McMurry, and Banvard, and the Senate refused by the following vote:

AYES—Messrs. Andross, Beck, Betge, Boggs, Duffy, Farley, Fowler, Larkin, McKusick, Oulton, Pendegast, and Van Ness—12.

NOES—Messrs. Banvard, Boucher, Comte, De Haven, Dyer, Evans, Finney, Garratt, Goodale, Hutchings, Irwin, Kent, Keys, Maclay, McCoy, McMurry, Minis, Neff, O'Connor, Perkins, Tompkins, Turner, Wand, Wilson, and Wing—25.

Mr. Duffy offered the following amendment to the original resolution:

Amend, by striking out "W. C. Holt," and insert "Daniel Fenton."

Mr. Beck moved to amend by making the per diem five dollars instead of eight dollars.

On motion of Mr. Boggs, the whole subject matter was laid on the table.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
January 23d, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-second day of January, passed Senate Bill No. 79—An Act to fix the terms of the County and Probate Courts of the County of San Luis Obispo.

Also, on the nineteenth day of January, passed Assembly Bill No. 168—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board.

Also, on the nineteenth day of January, passed Assembly Bill No. 111—An Act to authorize the Board of Supervisors of Mendocino County to issue bonds of said county, and apply the same to the construction of wagon roads in said county.

Also, on the nineteenth day of January, passed Assembly Bill No. 159—An Act to authorize the Board of Supervisors of the City and County of San Francisco to close up Margaret street, in said city and county.

Also, on the nineteenth day of January, passed Assembly Bill No. 144—An Act amendatory of an Act to regulate fees of office, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, on the nineteenth day of January, passed Assembly Bill No. 127—An Act in relation to the office of County Clerk of the City and County of San Francisco.

Also, on this twenty-third day of January, passed Assembly Bill No. 126—An Act to regulate the forfeiture of policies of life insurance.

Also, on this twenty-third day of January, passed Assembly Bill No. 169—An Act legalizing the ordinances of the City of Oakland.

Also, on this twenty-third day of January, passed substitute for Assembly Bill No. 118—An Act to amend an Act entitled an Act to provide for the appointment and prescribe the duties of guardians, approved April nineteenth, eighteen hundred and fifty.

Also, on this twenty-third day of January, passed substitute for Assembly Bill No. 114—An Act amendatory of an Act entitled an Act to regulate the settlement of estates of deceased persons, passed May first, eighteen hundred and fifty-one.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 168, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 111, above reported, read first and second times and referred to the Mendocino delegation.

Assembly Bill No. 159, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 144, above reported, read first and second times and referred to the Committee on State and County Revenue.

Assembly Bill No. 127, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 126, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 169, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 118, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 114, above reported, read first and second times and referred to the Judiciary Committee.

REPORT.

By Mr. Hutchings:

Mr. PRESIDENT: Your Committee on Enrollment would respectfully report, that they have examined and find correctly enrolled Senate Bill No. 30—An Act to provide for the Institution for the Deaf and Dumb and the Blind.

Also Senate Bill No. 38—An Act making an appropriation for translating into Spanish the several State documents ordered translated during the eighteenth session of the Legislature of the State of California.

Also Senate Bill No. 89—An Act to provide the County Superintendent of Common Schools of Stanislaus County with an office.

And presented the same to the Governor for his signature at eleven o'clock and thirty minutes.

HUTCHINGS, Chairman.

At one o'clock and thirty minutes P. M., on motion of Mr. Minis, the Senate adjourned.

J. T. FARLEY,
President pro tem.

ROBERT FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Wednesday, January 24th, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

PETITIONS.

The following petitions were presented:

Mr. Keys presented a petition from citizens of Fresno County for the passage of the "No Fence Law."

Referred to the Committee on Agriculture.

Mr. Kent presented a petition from citizens of Nevada County against the passage of the "No Fence Law."

Referred to the Committee on Agriculture.

Mr. Farley presented a petition from citizens of Amador County against the passage of the "No Fence Law."

Referred to the Committee on Agriculture.

Mr. McCoy presented from citizens of San Diego County a remonstrance against and petition for the "No Fence Law."

Referred to the Committee on Agriculture.

Mr. Tompkins presented a petition from citizens of Alameda County relative to public lands of this State.

Referred to the Committee on Public Lands.

Mr. Perkins presented a petition from citizens of California relative to submitting to a vote of the people relative to the sale of intoxicating liquors.

Referred to the Committee on Public Morals.

Mr. Beck presented a petition from citizens of Monterey County for the abolition of the "Fence Law."

Referred to the Committee on Agriculture.

COMMUNICATION.

The President presented the following communication :

OFFICE OF CONTROLLER OF STATE,
Sacramento, California, January 24th, 1872.

To Hon. R. PACHECO,
President of the Senate State of California:

In compliance with a resolution passed by the Senate on the twenty-third instant, requesting the Controller of State to furnish the Senate forthwith with a certified copy of any and all of the report or reports that have been made to him by any savings or loan society, corporation, firm, or individual, of moneys left with them by borrowers as security for or indemnity against the tax upon any mortgage, or the debt secured thereby, as required by the provisions of an Act entitled an Act to relieve owners of encumbered real estate from double taxation, approved April fourth, eighteen hundred and seventy, I herewith transmit to the Senate the annexed certified statement made by Messrs. George and Loughborough, of San Francisco, being the only parties that have complied with the Act mentioned. I would also beg leave to state that there has not been any money paid into the State Treasury through orders of Controller under provisions of said Act.

I have the honor to be, very respectfully,

JAMES J. GREEN,
Controller of State.

Referred to the Finance Committee.

The President also presented the following:

ROOMS CALIFORNIA STATE BOARD OF AGRICULTURE,
Sacramento, January 23d, 1872.

Hon. R. PACHECO,
Lieutenant Governor and President of the Senate:

DEAR SIR: I have the honor to convey to you and to the members of the Senate the invitation of the State Board of Agriculture to attend the annual meeting of the State Agricultural Society, to be held to-morrow, at twelve o'clock M., at the Pavilion, corner Sixth and M streets, in this city. The meeting is called for the election of officers, to hear reports, and to transact such other business as may properly come before it.

I am, very respectfully, your obedient servant,

I. N. HOAG,
Corresponding Secretary.

On motion of Mr. Maclay the invitation was accepted.

REPORTS.

The following reports were made:

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed:

Senate Bill No. 127—An Act to provide for the payment of deficiency in the State Insane Asylum appropriation for the twenty-third fiscal year, ending June thirtieth, eighteen hundred and seventy-two.

Also, Senate Bill No. 129—An Act to provide for the payment of certain coupons upon bonds of the State of California that have been lost.

Also, Senate Bill No. 133—An Act to appropriate money for the erection of a monument to ex-Governor John Bigler.

Also, Senate Bill No. 147—An Act to authorize the Board of Supervisors of Santa Barbara County to build a Court House and Jail in said county, to issue bonds of said county for the erection thereof, and to provide for the payment of the same.

NEFF, for Committee.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Education have considered Senate Bill No. 67—An Act to amend an Act entitled an Act to provide five competitive scholarships for the benefit of meritorious young men desirous of entering the State University, approved April first, eighteen hundred and seventy, report the same back and recommend its passage.

Also, Assembly Bill No. 53—An Act to distribute the revenue derived from the tax on dogs in Sonoma County, have amended the same, and recommend its passage as amended.

Also, have considered Senate Bill No. 106—An Act creating a Board of Education for the City of Los Angeles, and authorizing the Common Council of that city to issue bonds for a special School Building Fund, and report the same back with amendments, and recommend its passage as amended.

TUTTLE, Chairman.

By Mr. McMurry:

Mr. PRESIDENT: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 79—An Act to fix the terms of the County and Probate Courts of the County of San Luis Obispo, and presented the same to the Governor for his signature at eleven o'clock and fifty-four minutes, A. M.

McMURRY, for Committee.

By Mr. Banvard:

Mr. PRESIDENT: Your Committee on Finance have had under consideration Assembly Bill No. 166—An Act making an appropriation for deficiencies for the twenty-third fiscal year, ending the thirtieth day of June, eighteen hundred and seventy-two, beg leave to report the same back and recommend its passage.

Also, Senate Bill No. 120—An Act for the relief of James F. Burns, and return the same without recommendation.

BANVARD, Chairman.

By Mr. Wand:

Mr. President: The San Francisco delegation have had the following bills under consideration, and report them back as follows:

Senate Bill No. 41—An Act for the relief of James M. Kane—amended, and passage recommended as amended.

Also, Senate Bill No. 20—An Act to regulate the election of voluntary political associations—reported back without recommendation.

Also, Assembly Bill No. 10—An Act to regulate the fees of the Assistant City and County Attorney of the City and County of San Francisco—passage recommended.

Also, Assembly Bill No. 135—An Act supplementary to an Act to provide for the appointment of Notaries Public and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two—passage recommended.

Also, Assembly Bill No. 159—An Act to authorize the Board of Supervisors of the City and County of San Francisco to close up Margaret street in said city and county—passage recommended.

WAND, Chairman.

By Mr. Maclay:

Mr. President: The Committee on Corporations, to whom was referred Senate Bill No. 107—An Act to reincorporate the Town of San Luis Obispo, have had the same under consideration, and report it back, recommending its passage.

Also, have had under consideration Senate Bill No. 105—An Act authorizing a telegraph between Los Angeles and Wilmington, in Los Angeles County—report same back and recommend its passage.

Also, have had under consideration Senate Bill No. 112—An Act to incorporate the Town of Wilmington, in the County of Los Angeles, in the State of California—report the same back and recommend its passage.

MACLAY, for Committee.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

Assembly Chamber,
January 24th, 1872.

Mr. President: I am directed to inform your honorable body that the Assembly, on the nineteenth day of January, eighteen hundred and seventy-two, passed Assembly Bill No. 154—An Act concerning roads and highways in the Counties of Plumas and Lassen.

Also, on the same day, passed Assembly Bill No. 170—An Act to amend section five of an Act entitled an Act to provide funds to be applied to building a Hospital in the City and County of San Francisco, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, on the same day, passed Assembly Bill No. 198—An Act granting leave of absence to W. H. Brown, Sheriff of El Dorado County.

Also, on the same day, passed Assembly Bill No. 204—An Act to repeal an Act entitled an Act in relation to the office of Court Commissioner of the County of San Joaquin, approved March twelfth, eighteen hundred and seventy.

Also, on the twenty-third day of January, passed the following bills:

Assembly Bill No. 151—An Act supplemental to an Act entitled an Act to authorize H. H. Smith and others to construct and maintain a turnpike road from Cave Valley to a point on the line of the Central Pacific Railroad, at or near Auburn Station, approved March thirty-first, eighteen hundred and sixty six.

Assembly Joint Resolution No. 12—Relative to abolishing the duty on quicksilver.

Assembly Bill No. 62—An Act to appropriate money for the relief of James W. Marshall.

Senate Bill No. 34—An Act to amend an Act entitled an Act to define the duties and liabilities of pawnbrokers and pledgees.

Also, on the same day, amended and passed and respectfully ask concurrence in the amendment to Senate Bill No. 71—An Act to amend an Act entitled an Act relative to the duties and compensation of the Clerk of the Supreme Court, approved April sixth, eighteen hundred and sixty-six.

Also, on the same day, passed Senate Bill No. 72—An Act amendatory of an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty one.

Assembly Bill No. 178—An Act to change the name of the Oakland Cotton Manufacturing Company.

Also, on the same day, amended and passed, and respectfully ask concurrence in the amendments to Senate Bill No. 8—An Act to enable the inhabitants of territory adjacent to any city in this State to annex the same thereto.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 154, above reported, read first and second times and placed on file.

Assembly Bill No. 170, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 198, above reported, read first and second times and referred to the El Dorado delegation.

Assembly Bill No. 204, above reported, read first and second times and referred to the San Joaquin delegation.

Assembly Bill No. 178, above reported, read first and second times and placed on file.

Assembly Bill No. 62, above reported, read first and second times and referred to the Finance Committee.

Assembly Joint Resolution No. 12, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 151, above reported, read first and second times and referred to the Judiciary Committee.

Senate Bill No. 8, above reported, amendments made by the Assembly concurred in by the Senate.

Senate Bill No. 71, above reported, amendments made by the Assembly concurred in by the Senate.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Betge—An Act to regulate rates of fares on street railroads in the City and County of San Francisco.

Read first and second times and referred to the Committee on Corporations.

By Mr. Tompkins—An Act to empower the Probate Court of the County of Santa Clara to rectify an alleged error in the matter of the estate of James Donahue.

Read first and second times and referred to the Judiciary Committee.

By Mr. Tompkins—An Act supplemental to and amendatory of an Act entitled an Act to authorize the construction of a swing or draw-bridge across the San Antonio Creek, in the County of Alameda, approved April fourth, eighteen hundred and seventy.

Read first and second times and referred to the Judiciary Committee.

By Mr. Finney—An Act to compensate Curtis H. Lindley for services rendered the Revision Commission.

Read first and second times and referred to the Committee on Claims.

By Mr. Finney—Senate Concurrent Resolution relative to the public lands.

Read first and second times and referred to the Committee on Education.

By Mr. Keys—An Act to amend an Act entitled an Act to grant the Stanislaus Bridge and Ferry Company the right to construct and maintain a bridge or bridges across the Stanislaus River.

Read first and second times and placed on file.

By Mr. Keys—An Act to amend an Act entitled an Act concerning divorces from bed and board and from the bonds of matrimony, approved March twenty-fifth, eighteen hundred and fifty-one.

Read first and second times and referred to the Judiciary Committee.

By Mr. Beck—An Act concerning the Board of Supervisors.

Read first and second times and referred to the Judiciary Committee.

By Mr. McCoy—An Act to amend an Act entitled an Act to authorize the issue of bonds by the County of San Diego to erect county buildings, approved March twenty-ninth, eighteen hundred and seventy.

Read first and second times and referred to the Committee on State and County Revenue.

By Mr. Van Ness—An Act to amend an Act to incorporate the Town of Santa Barbara, approved February tenth, eighteen hundred and sixty-four.

Read first and second times and placed on file.

By Mr. Evans—Joint Resolution relative to arms issued to the State of California by the United States Government.

Read first and second times, rules suspended, considered engrossed, read a third time and adopted.

RESOLUTION.

By Mr. Maclay:

Resolved, That P. H. Kean be and he is hereby appointed Assistant

Copying Clerk, at the same per diem as that paid Copying Clerks of the Senate, payable out of the Fund for the contingent expenses of the Senate.

Referred to the Committee on Contingent Expenses.

SPECIAL ORDER.

On motion of Mr. Duffy, Senate Bill No. 4—An Act concerning section eleven of an Act to protect agriculture and to prevent the trespassing of animals upon private property, approved March twenty sixth, eighteen hundred and sixty six—made the special order for this day at twelve o'clock M., was postponed until Friday next, at one o'clock P. M.

RECESS.

At twelve o'clock M., on motion of Mr. Pendegast, the Senate took a recess until two o'clock P. M.

REASSEMBLED.

Senate reassembled at two o'clock P. M.
President in the Chair.
Roll called.
Quorum present.

GENERAL FILE.

Assembly Bill No. 46—An Act granting leave of absence to P. B. Nagle, District Attorney of Tehama County.

Read a third time and passed.

Senate Bill No. 113—An Act to pay the claim of J. T. Ryan for services rendered the State as Indian War Bond Commissioner.

Mr. Banyard moved to recommit the bill to the Committee on Claims, with instructions to amend the same by striking out "two thousand" and insert in lieu thereof "three thousand."

Lost.

The bill was read a third time and passed.

Assembly Bill No. 194—An Act concerning the compensation of certain county officers in the County of Los Angeles.

Referred to the Judiciary Committee.

Assembly Bill No. 195—An Act fixing the salary of the County Judge of Los Angeles County.

Referred to the Judiciary Committee.

Senate Bill No. 114—An Act for the relief of George W. Reamer and his associates.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 140—An Act to amend an Act entitled an Act for the protection of game, approved May thirteenth, eighteen hundred and fifty-four.

Considered in Committee of the Whole and amended.

IN SENATE.

Amendment made in Committee of the Whole concurred in by the Senate, and bill referred to the Committee on Agriculture.

GENERAL FILE RESUMED.

Senate Resolution—Relative to Clerk for Committee on Public Buildings. Amendment reported by the Committee on Contingent Expenses adopted, and resolution adopted as amended.

Senate Resolution—Relative to payment of B. A. Mardis.

Adopted.

Senate Resolution—Relative to payment of P. Oppenheim.

Adopted.

On motion of Mr. Banvard, the resolution relative to Copying Clerks, was taken from the table.

Mr. Farley offered the following substitute:

Resolved, That W. C. Holt, Thomas Conlon, and George Gale, be and they are hereby appointed Assistant Copying Clerks of the Senate, at the same per diem as the Copying Clerks receive, payable out of the appropriation for the contingent expenses of the Senate.

The substitute was adopted.

Mr. Duffy offered the following amendment to the substitute:

Amend, by striking out the name of W. C. Holt, and insert the name of Daniel Fenton.

Mr. Evans moved to refer the whole subject to the Committee on Contingent Expenses.

Lost.

The amendment offered by Mr. Duffy was lost.

Upon the adoption of the resolution introduced by Mr. Farley, the ayes and noes were demanded by Messrs. Evans, Duffy, and Neff, and the resolution was adopted by the following vote:

AYES—Messrs. Banvard, Beck, Betge, Boggs, Comte, Dyer, Farley, Fowler, Gwin, Hutchings, Kent, Keys, Larkin, Maclay, McCoy, McMurry, Pendegast, Tuttle, Wand, and Wilson—20.

NOES—Messrs. Andross, Boucher, Crane, De Haven, Duffy, Evans, Finney, Garratt, Goodale, Irwin, McKusick, Neff, O'Connor, Oulton, Perkins, Tompkins, Turner, and Wing—18.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
January 24th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-fourth day of January, eighteen hundred and seventy-two, passed Senate Bill No. 116—An Act to authorize the erection and maintenance of a bridge in the City of Petaluma.

Also, on the twenty-fourth day of January, passed Senate Bill No. 117—An Act to repeal an Act entitled an Act concerning Roads and Highways in the County of Placer, approved March twenty-eighth, eighteen hundred and seventy.

DIXON, Assistant Clerk.

At three o'clock and ten minutes P. M., on motion of Mr. Banvard, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Thursday, January 25th, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Temporary leave of absence was granted Mr. Irwin.

Messrs. Wand and Garratt were each granted leave of absence for one day.

PETITIONS.

Mr. Keys presented a petition from citizens of Fresno and Tulare Counties for the passage of the No-Fence Law.

Referred to Committee on Agriculture.

Mr. McCoy presented a petition from citizens of San Diego County against the passage of the No-Fence Law.

Referred to the Committee on Agriculture.

Mr. Pendegast presented a petition to memorialize Congress on the subject of paying settlers on the Suscol Grant their losses sustained by Act of Congress known as the "Conness Bill."

Referred to the Committee on Federal Relations.

REPORTS.

The following reports were made:

By Mr. Neff:

MR. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 98—An Act for the relief and support of the California Labor and Employment Exchange.

Also, Senate Bill No. 110—An Act to provide for the payment of the claim of Isador Wormser against the State of California.

Also, Senate Bill No. 114—An Act for the relief of George W. Reamer and his associates.

NEFF, for Committee.

By Mr. McMurry:

Mr. President: The Committee on Contingent Expenses having examined and found correct the following accounts, beg leave to report the same and recommend the accompanying resolution:

To whom due.	Amount.
Edwards & Co., for towels, soap, sponges, etc	$77 00
Geo. Rowland, postage and box rent	50 20
David Bush, portable gas lamp	25 00
R. Ireland, matches	2 50
A. Dennery & Co., spittoons	36 00
Wm. O'Brien, carrying mail to post office	40 00

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrants on the Contingent Fund of the Senate as follows:

In favor of Edwards & Co., for seventy-seven dollars.
In favor of Geo. Rowland, for fifty dollars and twenty cents.
In favor of David Bush, for twenty-five dollars.
In favor of R. Ireland, for two dollars and fifty cents.
In favor of A. Dennery & Co., for thirty-six dollars.
In favor of Wm. O'Brien, for forty dollars.

McMURRY, Chairman.

By Mr. Tompkins:

Mr. President: The Committee on Judiciary have had under consideration Assembly substitute for Assembly Bill No. 132—An Act to improve the Little Truckee River for rafting and floating logs, timber, and wood, and to provide for the collection of tolls thereon.

Also, Assembly substitute for Assembly Bill No. 116—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

And report the same back with amendments, and recommend the adoption of the amendments and the passage of the several bills as amended.

Also, Assembly substitute for Assembly Bill No. 92—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one—report the same back and recommend its passage.

Also, Senate Bill No. 101—An Act to provide for the care of indigent Chinese, Mongolians, and Japanese—and report the same back.

Your committee are divided in opinion upon this bill; a majority, however, are of the opinion that it it is unconstitutional, and therefore recommend that it do not pass.

TOMPKINS, Chairman.

By Mr. Evans:

Mr. PRESIDENT: Your Committee on Military Affairs have had under consideration Senate Bill No. 123—An Act to repay the Sacramento Light Artillery Company certain moneys necessarily or properly expended by it to maintain its efficiency as one of the military arms of the State—and respectfully report the same back with a recommendation that it be referred to the Committee on Claims.

Senate Bill No. 76—An Act to provide a State Armory, has also been duly considered, and your committee report the same back with a recommendation that it do not pass.

We have also considered Senate Bill No. 142—An Act for the relief of the Sarsfield Grenadier Guard of the City of Sacramento, and report the same back with a recommendation that it be indefinitely postponed.

EVANS, for the Committee.

On motion of Mr. Evans, Senate Bill No. 123, above reported, was referred to the Committee on Claims.

By Mr. Van Ness:

Mr. PRESIDENT: The Committee on Federal Relations having had under consideration Assembly substitute for Assembly Joint Resolution No. 4—Relative to instructing our Senators and Representatives in Congress to urge the establishment of a weekly mail from Millville, in Shasta County, to Lake City, in Siskiyou County.

Also, Senate Joint Resolution No. 2—Relative to requesting the Congress of the United States to create a telegraphic postal system throughout the United States.

Also, Assembly Bill No. 49—An Act to facilitate telegraphic communication between America and Asia.

Report the same back and recommend their passage.

VAN NESS, Chairman.

By Mr. Banvard:

Mr. PRESIDENT: Your special committee, the Placer delegation, respectfully report that they have had under consideration Senate Bill No. 121—An Act to amend an Act to regulate fees of offices and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy—which was re-referred to said delegation, and herewith report the same back, with a substitute, and recommend the passage of the substitute.

BANVARD,
NEFF,
Delegation.

On motion of Mr. Banvard, the substitute above reported was adopted, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Comte:

Mr. PRESIDENT: The Sacramento delegation, to whom was referred

Assembly Bill No. 143, report that they have had the same under consideration, and recommend its passage as amended.

DUFFY,
COMTE.

REMONSTRANCE.

By Mr. Farley:

From citizens of Amador County, against the passage of the No-Fence Law.

Referred to the Committee on Agriculture.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. McMurry—An Act to pay the expenses necessarily incurred in suppressing Indian hostilities in the Counties of Humboldt and Trinity, in the years eighteen hundred and sixty-eight and eighteen hundred and sixty-nine.

Read first and second times and referred to the Judiciary Committee.

By Mr. Betge—An Act concerning the limitation of actions and proceedings in certain cases.

Read first and second times and referred to the Judiciary Committee.

By Mr. Beck—An Act to amend an Act entitled an Act to provide means for the government of the County of Santa Cruz, and for the payment and funding of the debt of said county, approved January thirty-first, eighteen hundred and seventy.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Van Ness—An Act for the relief of S. R. I. Sturgeon, late District Attorney of Santa Barbara County.

Read first and second times and placed on file.

MEMORIAL.

By Mr. Pendegast—Memorial to Congress for relief to the settlers on the Suscol Grant, on account of losses by them sustained by virtue of an Act of Congress known as the "Conness Bill."

Read first and second times and referred to the Committee on Federal Relations.

MOTIONS, RESOLUTIONS, AND NOTICES.

By Mr. Maclay:

Resolved by the Senate, the Assembly concurring, That a committee of five be appointed by the President of the Senate and the Speaker of the House, to invite the Japanese Embassy now in San Francisco to visit the State Capital, at such time as may suit their convenience.

Upon the adoption of the resolution the ayes and noes were demanded by Messrs. Larkin, McMurry, and Duffy, and the resolution was adopted by the following vote:

AYES—Messrs. Andross, Betge, Boggs, Boucher, Crane, De Haven,

Duffy, Dyer, Evans, Finney, Irwin, Larkin, Maclay, McCoy, McKusick, Neff, Oulton, Perkins, Tompkins, Turner, Van Ness, and Wing—22.

Noes—Messrs. Banvard, Beck, Comte, Farley, Gwin, McMurry, O'Connor, Pendegast, Tuttle, and Wilson—10.

On motion of Mr. Oulton, Senate Bill No. 135, on yesterday reported from the San Francisco delegation, was referred to the Judiciary Committee.

SPECIAL ORDER.

Senate Bill No. 86—An Act to amend an Act to relieve owners of encumbered real estate from double taxation.

Mr. Evans moved to indefinitely postpone the bill.

Upon which the ayes and noes were demanded by Messrs. Evans, Larkin, and McMurry, and the Senate so ordered by the following vote:

Ayes—Messrs. Andross, Banvard, Beck, Boggs, Boucher, Comte, Crane, DeHaven, Dyer, Evans, Finney, Fowler, Gwin, Irwin, Kent, Keys, Larkin, Maclay, McCoy, McKusick, McMurry, Neff, O'Connor, Perkins, Turner, Tuttle, Wilson, and Wing—28.

Noes—Messrs. Betge, Farley, Oulton, Pendegast, Tompkins, and Van Ness—6.

GENERAL FILE.

Senate Bill No. 67—An Act to amend an Act entitled an Act to provide five competitive scholarships for the benefit of meritorious young men desirous of entering the State University, approved April first, eighteen hundred and seventy.

Recommitted to the Santa Clara delegation.

Senate Bill No. 127—An Act to provide for the payment of deficiency in the State Insane Asylum appropriation for the twenty-third fiscal year, ending June thirtieth, eighteen hundred and seventy-two.

Read a third time and passed.

On motion of Mr. Pendegast, the vote by which Senate Bill No. 67 was recommitted to the Santa Clara delegation was reconsidered.

On motion of Mr. Pendegast, the vote by which Senate Bill No. 67 was ordered engrossed was reconsidered.

On motion of Mr. Pendegast, Senate Bill No. 67 was recommitted to the Santa Clara delegation.

At twelve o'clock and four minutes P. M., Mr. O'Connor moved a call of the Senate.

Lost.

At twelve o'clock and five minutes P. M., Mr. Duffy moved to take a recess for thirty minutes.

Lost.

[Mr. Farley in the chair.]

Assembly Bill No. 53—An Act to distribute the revenue derived from the tax on dogs in Sonoma County.

Amendments reported by the committee adopted by the Senate; bill read a third time and passed; title amended, and amendment adopted.

Assembly Bill No. 10—An Act to regulate the fees of the Assistant City and County Attorney of the City and County of San Francisco.

Read a third time and passed.

Assembly Bill No. 166—An Act making an appropriation for deficien-

cies for the twenty-third fiscal year, ending the thirtieth day of June, eighteen hundred and seventy-two.

Read a third time and passed.

Assembly Bill No. 154—An Act concerning roads and highways in the Counties of Plumas and Lassen.

Referred to the Committee on Roads and Highways.

Assembly Bill No. 159—An Act to authorize the Board of Supervisors of the City and County of San Francisco to close up Margaret street, in said city and county.

Read a third time and passed.

Assembly Bill No. 62—An Act to appropriate money for the relief of James W. Marshall.

Considered in Committee of the Whole and amended.

IN SENATE.

Amendment made in Committee of the Whole concurred in by the Senate, and bill read a third time.

Upon the passage of the bill the ayes and noes were demanded by Messrs. O'Connor, Larkin, and Tuttle, and the bill was passed by the following vote:

AYES—Messrs. Andross, Banyard, Beck, Betge, Boggs, Crane, De Haven, Duffy, Finney, Fowler, Gwin, Hutchings, Irwin, Kent, Larkin, Maclay, McCoy, McKusick, Perkins, Turner, Van Ness, Wilson, and Wing—23.

NOES—Messrs. Farley, Keys, McMurry, O'Connor, Oulton, Tompkins, and Tuttle—7.

GENERAL FILE RESUMED.

Assembly Bill No. 178—An Act to change the name of the Oakland Cotton Manufacturing Company.

Read third time and passed.

Senate Bill No. 112—An Act to incorporate the Town of Wilmington, in the County of Los Angeles.

Rules suspended, bill considered engrossed, read third time and passed.

Senate Bill No. 20—An Act to regulate the elections of voluntary political associations in the City and County of San Francisco, and to secure a fair expression of the choice of such associations, etc.

Laid on the table.

Senate Bill No. 107—An Act to reincorporate the Town of San Luis Obispo.

Rules suspended, bill considered engrossed, read third time and passed.

Senate Bill No. 155—An Act to amend an Act entitled an Act to grant the Stanislaus Bridge and Ferry Company the right to construct and maintain a bridge across the Stanislaus River.

Rules suspended, bill considered engrossed, read third time and passed.

Senate Bill No. 106—An Act creating a Board of Education for the City of Los Angeles, etc.

Amendments reported by the Committee on Education, adopted by the Senate, rules suspended, bill considered engrossed, read third time, and passed.

Senate Bill No. 159—An Act to amend an Act to incorporate the Town of Santa Barbara, approved February tenth, eighteen hundred and sixty-four.

Rules suspended, bill considered engrossed, read third time and passed.

Senate Bill No. 41—An Act for the relief of James M. Kane.

Considered in Committee of the Whole, and amended.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the Senate, and bill ordered engrossed.

GENERAL FILE RESUMED.

Senate Bill No. 105—An Act authorizing a telegraph between Los Angeles and Wilmington.

Ordered engrossed.

Senate Bill No. 120—An Act for the relief of James F. Burns.

Rules suspended, bill considered engrossed, read third time and passed.

REPORT.

By Mr. Hutchings:

Mr. PRESIDENT: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 72—An Act amendatory of an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one.

Also, Senate Bill No. 71—An Act to amend an Act relative to the duties and compensation of the Clerk of the Supreme Court, approved April sixth, eighteen hundred and sixty-six.

And presented the same to the Governor for his signature at one o'clock and forty minutes P. M.

HUTCHINGS, Chairman.

RESOLUTION.

By Mr. Comte:

Resolved by the Senate the Assembly concurring, That the Governor be requested to return Senate Bill No. 72, for the purpose of making a clerical correction.

Adopted.

At three o'clock and twenty minutes P. M., on motion of Mr. Fowler, the Senate adjourned.

J. T. FARLEY,
President pro tem.

ROBERT FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Friday, January 26th, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

PETITIONS.

Mr. Oulton presented a petition from the Women's Christian Association.

Referred to the Finance Committee.

Mr. Keys presented a petition from citizens of Fresno County for the passage of the No-Fence Law.

Referred to the Committee on Agriculture.

Mr. McCoy presented a petition from citizens of San Bernardino for the passage of the No-Fence Law.

Referred to the Committee on Agriculture.

Mr. Wand presented a petition from the Chamber of Commerce.

Referred to the Committee on Agriculture.

Also, a petition from the California Immigrant Union.

Referred to the Finance Committee.

CONTESTED ELECTION.

The President presented certain papers in the matter of the contested election of Flint *v.* Beck.

Referred to the Committee on Elections.

On motion of Mr. Wilson, the Secretary was directed to correct a clerical error in Senate Bill No. 112.

REPORTS.

Reports were made as follows:

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 162—An Act to amend an Act entitled an Act to provide means for the government of the County of Santa Cruz, and for the payment and funding of the debt of said county, approved January thirty-first, eighteen hundred and seventy.

Also, Senate Bill No. 159—An Act to amend an Act to incorporate the Town of Santa Barbara, approved February tenth, eighteen hundred and sixty-four.

Also, Senate Bill No. 155—An Act to amend an Act entitled an Act to grant the Stanislaus Bridge and Ferry Company the right to construct and maintain a bridge or bridges across the Stanislaus River.

TUTTLE, for Committee.

By Mr. Wilson:

Mr. PRESIDENT: Your Committee on Agriculture, to whom was referred Assembly Bill No. 137—An Act to provide for the keeping of stallions and other animals—having had the same under consideration, beg leave to report the same back and recommend its passage.

WILSON, Chairman.

By Mr. Comte:

Mr. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 154—An Act entitled an Act concerning roads and highways in the Counties of Plumas and Lassen—respectfully report that they have had the same under consideration and have proposed two amendments thereto, and recommend its passage as amended.

COMTE, for Committee.

On motion of Mr. Boucher, the rules were suspended for the consideration of Assembly Bill No. 154, above reported from the Committee on Roads and Highways.

Amendments reported by the committee adopted by the Senate, bill read a third time and passed.

Mr. McMurry verbally reported Senate resolution relative to Clerks to Committees on Commerce and Navigation and Federal Relations, without recommendation.

By Mr. Crane:

Mr. PRESIDENT: Your committee, to whom was referred Assembly Bill No. 162—An Act amendatory of and supplementary to an Act entitled an Act to provide for the better collection of delinquent taxes in the County of Yuba, approved April twenty-fifth, eighteen hundred and sixty-three—respectfully report the same back and recommend its passage.

HUTCHINGS,
CRANE,
Delegation.

On motion of Mr. O'Connor, Assembly Bill No. 162, above reported, was referred to the Judiciary Committee.

By Mr. Wilson:

Mr. PRESIDENT: The Los Angeles and San Diego delegations, to whom was referred the substitute for Assembly Bill No. 160—An Act to protect agriculture and to prevent the trespassing of animals upon private property in the Counties of Los Angeles and San Diego—have had the same under consideration and beg leave to report the same back with a substitute, and recommend the passage of the substitute.

WILSON, of Los Angeles.
McCOY, of San Diego and San Bernardino.

By Mr. Wand:

Mr. PRESIDENT: The San Francisco Delegation have had the following bills under consideration, and report them back, as follows:

Assembly Bill No. 157—An Act to amend an Act entitled an Act concerning Jurors in the City and County of San Francisco, approved March twentieth, eighteen hundrdd and sixty-one—passage recommended.

Also, Assembly Bill No. 168—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board—amended, and passage recommended as amended.

Also, Assembly Bill No. 87—An Act concerning the office of County Clerk in and for the City and County of San Francisco—amended, and passage recommended as amended.

Also, Assembly Bill No. 127—An Act in relation to the office of County Clerk of the City and County of San Francisco—reported back, and passage recommended.

WAND, Chairman.

On motion of Mr. Wand, Assembly Bills Nos. 157, 87, and 127, above reported, were ordered on file.

On motion of Mr. Wand, the rules were suspended for the consideration of Assembly Bill No. 168, above reported.

Amendment reported by the San Francisco Delegation, adopted by the Senate, bill read a third time, and passed.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, January 26th, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 71—An Act to amend an Act entitled an Act relative to the duties and compensation of the Clerk of the Supreme Court, approved April second, eighteen hundred and sixty-six.

NEWTON BOOTH,
Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, January 25th, 1872.

To the Senate of the State of California:

I herewith transmit to your honorable body the Biennial Report of the State Board of Agriculture, with accompanying documents.

I have to request your honorable body to notify the Asssembly of its reception.

NEWTON BOOTH,
Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, January 25th, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 38—An Act making an appropriation for translating into Spanish the several State documents ordered translated during the eighteenth session of the Legislature of the State of California.

Also, Senate Bill No. 89—An Act to provide the County Superintendent of Common Schools of Stanislaus County with an office.

Also, Senate Bill No. 30—An Act to provide for the Institution for the Deaf, Dumb, and the Blind.

Also, Senate Bill No. 79—An Act to fix the terms of the County and Probate Courts in and for the County of San Luis Obispo.

NEWTON BOOTH,
Governor.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
January 25th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-fifth day of January, passed Senate Bill No. 84—An Act to provide for the erection of a Court House and Jail in the County of Stanislaus.

Also, on the twenty-third day of January, passed Assembly Concurrent Resolution No. 11—Relative to establishment of a steamer mail service on the southern coast.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Concurrent Resolution No. 11, above reported, read first and second times, and referred to the Committee on Federal Relations.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Wand—An Act for the relief of James H. Clarke, late Health Inspector of the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Finney—An Act to amend an Act entitled an Act defining the rights of husband and wife, passed April seventeenth, eighteen hundred and fifty, amended May twelfth, A. D. eighteen hundred and sixty-two.

Read first and second times and referred to the Judiciary Committee.

By Mr. Garratt—An Act to provide for and regulate the sprinkling of the streets of the City and County of San Francisco.

Read first and second times and referred to the San Francisco delegation.

By Mr. Beck—An Act to empower the Roadmaster of Pajaro Road District of Santa Cruz County to construct and maintain a ditch through the lands of Henry Wiley of said road district.

Read first and second times and referred to the Judiciary Committee.

RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Maclay:

Resolved, That when the Senate adjourns this day, it adjourns to meet on Monday, the twenty-ninth instant, at half past two o'clock P. M.

Upon the adoption of the resolution the ayes and noes were demanded by Messrs. McMurry, Neff, and Duffy, and the resolution was adopted by the following vote:

AYES—Messrs. Banvard, Betge, Boggs, Boucher, Comte, Duffy, Fowler, Gwin, Kent, Larkin, Maclay, McCoy, McKusick, Mims, Perkins, Tompkins, Van Ness, and Wing—18.

NOES—Messrs. Beck, DeHaven, Dyer, Farley, Garratt, Goodale, Hutchings, Keys, McMurry, Neff, O'Connor, Oulton, Pendegast, Turner, Tuttle, Wand, and Wilson—17.

By Mr. Duffy:

Resolved, That George Bingham is hereby allowed one hundred and twenty dollars for services rendered the eighteenth session of the Legislature, in hoisting the American flag over the dome of the Capitol; and the Controller is hereby directed to draw his warrant on the Contingent Fund of the Senate to pay the same.

Referred to the Committee on Contingent Expenses.

NOTICE.

Mr. Neff gave the following notice:

Mr. PRESIDENT: I desire to give notice that I will, on to-morrow or at an early day, introduce a bill entitled an Act concerning roads and highways in the County of Placer.

On motion of Mr. Tuttle, the resolution adopted by the Senate on the seventeenth day of January, eighteen hundred and seventy-two, authorizing the Committee on Education to employ a clerk, was rescinded.

GENERAL FILE.

Senate Bill No. 98—An Act for the relief and support of the California Labor and Employment Exchange.

Read third time, and upon the passage of the bill, the ayes and noes were demanded by Messrs. Larkin, McMurry, and Goodale, and the bill was passed by the following vote:

AYES—Messrs. Banvard, Beck, Betge, Comte, Duffy, Finney, Garratt, Gwin, Hutchings, Irwin, Kent, Maclay, Mims, Neff, Oulton, Pendegast, Perkins, Tompkins, Van Ness, Ward, Wilson, and Wing—22.

NOES—Messrs. Boggs, Boucher, Crane, DeHaven, Dyer, Fowler, Goodale, Keys, Larkin, McCoy, McKusick, McMurry, O'Connor, Turner, and Tuttle—15.

Assembly Bill No. 49—An Act to facilitate telegraphic communication between America and Asia.

Read a third time and passed.

Assembly Bill No. 92—An Act amendatory of an Act entitled an Act to regulate the settlement of estates of deceased persons, passed May first, eighteen hundred and fifty-one.

Read a third time and passed.

Assembly Bill No. 116—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State.

Amendments reported by Judiciary Committee, adopted by the Senate, bill read a third time and passed.

Assembly Bill No. 132—An Act to improve the Little Truckee River for rafting and floating logs, timber, and wood, and to provide for the collection of tolls thereon.

Amendments reported by Judiciary Committee, adopted by the Senate, bill read a third time and passed.

Senate Bill No. 101—An Act to provide for the care of indigent Chinese, Mongolians, and Japanese.

Withdrawn.

[Mr. Farley in the chair.]

Senate Bill No. 76—An Act to provide a State Armorer.

Passed on file.

Senate Bill No. 142—An Act for the relief of the Sarsfield Grenadier Guard of Sacramento.

Referred to the Committee on Claims.

Senate Bill No. 163—An Act for the relief of S. R. I. Sturgeon, late District Attorney of Santa Barbara County.

Recommitted to Santa Barbara delegation.

Assembly Joint Resolution No. 4—Relative to establishing weekly mail from Millville to Lake City.

Read a third time and adopted.

Senate Joint Resolution No. 2—Relative to asking Congress to create a postal telegraphic system.

Passed on file.

Senate Resolution—Relative to accounts of Edwards & Co., George Rowland *et al.*

Adopted.

SPECIAL ORDER.

Senate Bill No. 4—An Act concerning section eleven of an Act to protect agriculture, and to prevent the trespassing of animals upon private property, approved March twenty-sixth, eighteen hundred and sixty-six.

Mr. Pendegast offered a substitute for the bill, which was adopted.

On motion of Mr. Finney, the bill was made the special order for Tuesday next, at one o'clock.

APPOINTMENT OF COMMITTEE.

The President announced the appointment of the following committee on the part of the Senate, to invite the Japanese Embassy to visit the Capitol, in pursuance to a resolution adopted by the Senate yesterday, and concurred in by the Assembly:

Messrs. Maclay, Evans, Oulton, Betge, and Duffy.

At two o'clock and forty-five minutes P. M., on motion of Mr. Maclay, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Monday, January 29th, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of Friday last read and approved.

LEAVE OF ABSENCE.

Mr. Boggs was granted leave of absence for two days.

PETITIONS.

Mr. Keys presented a petition from citizens of "Alabama Settlement," Fresno County, for the passage of the Fence Law.
Referred to the Committee on Agriculture.
Mr. Wand presented the Report and Memorial of the California Immigrant Union.
Referred to the Finance Committee.
Mr. Wand presented a petition from citizens of Fresno County, relative to the California Immigrant Union.
Referred to Finance Committee.

REPORTS.

The following reports were made:

By Mr. Tompkins:

Mr. PRESIDENT: The Committee on Judiciary have had under consid-

eration Senate Bill No. 143—An Act to authorize the Board of Supervisors of Colusa County to levy a special tax.

Also, Senate Bill No. 135—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two.

Also, Assembly Bill No. 169—An Act legalizing the ordinances of the City of Oakland.

Also, Senate Bill No. 152—An Act supplemental to and amendatory of an Act entitled an Act to authorize the construction of a swing or drawbridge across the San Antonio Creek, in the County of Alameda, approved April fourth, eighteen hundred and seventy.

Also, Assembly Joint Resolution No. 12—Relative to abolishing the duty on quicksilver.

And report the same and recommend their passage.

Also, had under consideration Senate Bill No. 137—An Act to prevent the destruction of forests by fire on public lands.

Also, Assembly substitute for Assembly Bill No. 114—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one.

Also, Senate Bill No. 118—An Act amendatory of and supplementary to an Act entitled an Act to incorporate the Town of Eureka, approved April ninth, eighteen hundred and fifty-nine.

Also, Assembly Bill No. 126—An Act to regulate the forfeiture of policies of life insurance.

Also, Assembly Bill No. 195—An Act fixing the salary of the County Judge of Los Angeles County.

And report the same back with amendments, and recommend the adoption of the amendments and the passage of the several bills as amended.

Also, had under consideration Assembly Bill No. 128—An Act to legalize the assessment and equalization of taxes in the County of El Dorado.

Also, Assembly Bill No. 67—An Act defining the time within which certain actions may be brought.

Also, Substitute for Assembly Bill No. 118—An Act to amend an Act entitled an Act to provide for the appointment and prescribe the duties of guardians, approved April nineteenth, eighteen hundred and fifty.

Also, Senate Bill No. 124—An Act to regulate proceedings in certain actions against physicians and surgeons.

And report the same back and recommend that they do not pass.

TOMPKINS, Chairman.

By Mr. Tuttle:

Mr. President: The Committee on Engrossment have examined and find correctly engrossed, Senate Bill No. 120—An Act for the relief of James F. Burns.

Also, Senate Bill No. 41—An Act for the relief of James M. Kane.

Also, Senate Bill No. 106—Creating a Board of Education for the City of Los Angeles, and authorizing the Common Council of the city to issue bonds for a special School Building Fund.

TUTTLE, for Committee.

By Mr. Wand:

Mr. President: The San Francisco delegation have had the following bills under consideration and report them back, as follows:

Senate Bill No. 13—An Act to create a Board of Public Works in the City and County of San Francisco.

Reported back without recommendation.

Also, Senate Bill No. 164—An Act for the relief of James H. Clark, late Health Inspector of the City and County of San Francisco.

Reported back without recommendation.

Also, Assembly Bill No. 170—An Act to amend section five of an Act entitled an Act to provide funds to be applied to building a hospital in the City and County of San Francisco, approved March twenty-eighth, eighteen hundred and sixty-eight.

Passage recommended.

WAND, Chairman.

On motion of Mr. Wand, Senate Bill No. 164, and Assembly Bill No. 170, above reported, were ordered on file.

Mr. Wand had leave to withdraw Senate Bill No. 13, above reported.

Mr. Evans verbally reported Senate Bill No. 204, without recommendation, and the said bill was referred to the Judiciary Committee.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, January 26th, 1872.

To the Senate of the State of California:

I herewith transmit to your honorable body the inclosed message concerning the financial condition of the State, and respectfully submit the same to your careful and intelligent consideration.

As there is but one copy of this document, I respectfully ask that the Assembly will be informed of its receipt.

NEWTON BOOTH, Governor.

On motion of Mr. Oulton, the message above transmitted was referred to the Finance Committee.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
January 26th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-third day of January, passed Senate Concurrent Resolution No. 21—Relative to the establishment of a mail route from Lake Valley, El Dorado County, California, to Genoa, in the State of Nevada.

Also, on the twenty-fifth of January, passed Senate Bill No. 97—An Act to enable the Regents of the University of California to renew and secure certain loans, and to mortgage and sell certain real estate.

Also, on the same day, passed Senate Bill No. 39—An Act authorizing and empowering the Supervisors of the County of Inyo to sell certain real estate belonging to said County.

Also, on the same day, passed Assembly Bill No. 106—An Act to repeal section four of an Act to provide and pay for services rendered for the City and County of San Francisco, approved March fourth, eighteen hundred and seventy.

Also, on the same day, passed Assembly Bill. No. 88—An Act to repeal an Act entitled an Act for the relief of the free schools of Presentation Convent of the City and County of San Francisco, approved April fourth, eighteen hundred and seventy.

Also, on the same day, concurred in Senate Concurrent Resolution No. 24—Relative to inviting the Japanese Embassy to visit the Capital.

Also, on this twenty-sixth day of January, passed Senate Bill No. 115—An Act amendatory of an Act entitled an Act to reincorporate the City of Petaluma, approved March twenty-seventh, eighteen hundred and sixty-eight.

Also, on the same day, concurred in Senate amendment to Assembly Bill No. 62—An Act to appropriate money for the relief of James W. Marshall.

Also, on the twenty-fourth day of January, passed substitute for Assembly Bill No. 141—An Act conferring certain powers on the Board of Supervisors of Lake County.

Also, on the twenty-fifth day of January, passed Assembly Bill No. 33—An Act to amend an Act to provide for the protection of certain lands in the County of Sutter from overflow, approved March twenty-fifth, eighteen hundred and sixty-eight.

Also, on the twenty-sixth day of January, concurred in Senate Concurrent Resolution No. 25, relative to Governor returning Senate Bill No. 72.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 141, above reported, read first and second times, rules suspended, bill considered in Committee of the Whole and amended.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the Senate, bill read a third time and passed.

Assembly Bill No. 88, above reported, read first and second times and referred to the Committee on Education.

Assembly Bill No. 33, above reported, read first and second times and referred to the Committee on Swamp and Overflowed Lands.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Tuttle—An Act entitled an Act to legalize the street assessments and the assessment rolls of the City of Petaluma for the fiscal years eighteen hundred and seventy and eighteen hundred and seventy-one, respectively.

Read first and second times and referred to the Judiciary Committee.

By Mr. Minis—An Act to prevent duplicate sales of the same land.

Read first and second times and referred to the Committee on Public Lands, and ordered printed.

By Mr. Irwin—An Act for the encouragement of agriculture and other industries.

Read first and second times and referred to the Committee on Agriculture, and four hundred and eighty copies of the bill ordered printed.

By Mr. Evans—An Act declaring the San Joaquin River and the Stockton Slough navigable, from and to certain points herein named.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Dyer—An Act relating to an Act to aid the Mercantile Library Association of the City and County of San Francisco in paying its indebtedness.

Read first and second times and referred to the Judiciary Committee.

By Mr. Wand—An Act to create a Board of Public Works in the City and County of San Francisco

Read first and second times and referred to the San Francisco delegation and ordered printed, together with the memorial.

Also—An Act for the relief of Michael Conniff.

Read first and second times and referred to the San Francisco delegation.

Also—An Act to promote and encourage immigration to the State of California.

Read first and second times and referred to the Finance Committee, and ordered printed.

By Mr. Van Ness—An Act to provide Road Funds for the Counties of Santa Barbara and San Luis Obispo.

Read first and second times and ordered on file.

By Mr. Irwin—An Act to provide for the transfer of the moneys and other assets in the Permanent School Fund of Siskiyou County to the General School Fund of said county.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Minis—An Act to separate the office of County Recorder from that of County Clerk in the County of Yolo, and to provide for the election of a County Recorder therein.

Read first and second times and referred to the Yolo delegation.

Also—An Act to authorize the Board of Supervisors of Yolo County to approve and certify certain claims against Swamp Land District Number Eighteen.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands.

By Mr. Pendegast—An Act entitled an Act supplemental to an Act entitled an Act to provide for compensating parties whose property may be destroyed in consequence of mobs or riots, approved March twenty-seventh, eighteen hundred and sixty-eight.

Read first and second times and referred to the Judiciary Committee.

MOTIONS, RESOLUTIONS, AND NOTICES.

Mr. Wand gave notice that he would to-morrow, or at an early day, introduce a bill to regulate the social evil in the City and County of San Francisco.

By Mr. Wilson:

Resolved by the Senate the Assembly concurring, That there be printed of the Report proper of the State Board of Agriculture for eighteen hundred and seventy-one and eighteen hundred and seventy-two one thousand copies; two hundred and forty copies for the use of the Legislature, and seven hundred and sixty for the State Agricultural Society. Also, of the Transactions of the State Agricultural Society, for the same years, seven thousand five hundred copies; two thousand five hundred for the use of the Legislature, and five thousand for the State Agricultural Society, for distribution to the District Agricultural Societies and for general distribution.

On motion of Mr. Betge, the resolution was amended by striking out seven thousand and inserting in lieu thereof ten thousand.

On motion of Mr. Oulton, the resolution was referred to the Committee on Printing.

By Mr. Evans:

Concurrent Resolution—Relative to requiring the Attorney General of the State of California to commence suit against all delinquents to enforce their compliance with the provisions of the Act entitled an Act to relieve owners of encumbered real estate from double taxation, approved April fourth, eighteen hundred and seventy.

Adopted.

By Mr. Minis:

Resolved, That the Committee on Agriculture be and they are hereby instructed to draft and present to this House a "General Trespass Bill," similar in its provisions to the law known as the "No Fence Law," and providing that the property owners of any county or part of a county may, by petition to the Board of Supervisors of such county, have the matter of the acceptance or rejection of said law submitted to a vote of the citizens of said county or part of county, and providing that the said law shall or shall not apply, as the vote may be for or against the said propositon.

Adopted.

By Mr. Pendegast:

Resolved, That the Committee on Counties and County Boundaries be and they are hereby authorized to employ a clerk at a per diem of five dollars, to be paid out of the appropriation for the contingent expenses of the Senate.

Rules suspended and resolution adopted.

GENERAL FILE.

Assembly Bill No. 127—An Act in relation to the office of County Clerk of the City and County of San Francisco.

Read a third time and passed.

Assembly Bill No. 137—An Act to provide for the keeping of stallions and other animals.

Read a third time and passed.

Assembly Bill No. 87—An Act concerning the office of County Clerk in and for the City and County of San Francisco.

Considered in Committee of the Whole and amended.

IN SENATE.

Amendment made in Committee of the Whole concurred in by the Senate, bill read a third time and passed.

GENERAL FILE RESUMED.

Assembly Bill No. 157—An Act to amend an Act entitled an Act concerning jurors in the City and County of San Francisco.

Read a third time and passed.

Senate Bill No. 76—An Act to provide a State Armorer.

Passed on file.

Senate Resolution—Relative to Clerk for Committees on Federal Relations and Commerce and Navigation.

Amended by striking out "same as committee clerks," and inserting in lieu thereof "five dollars."

The resolution as amended was adopted.

Senate Joint Resolution No. 2—Relative to asking Congress to create a postal telegraphic system.

Upon reading the resolution the third time the ayes and noes were demanded by Messrs. Irwin, Minis, and Oulton, and the Senate refused by the following vote:

AYES—Messrs. Andross, Crane, Dyer, Evans, Finney, Garratt, Goodale, Kent, McKusick, Neff, Perkins, Tompkins, Turner, Van Ness, Wand, and Wing—16.

NOES—Messrs. Banvard, Beck, Betge, Boucher, De Haven, Farley, Fowler, Gwin, Hutchings, Irwin, Keys, Larkin, McCoy, McMurry, Minis, O'Connor, Oulton, Pendegast, Tuttle, and Wilson—20.

RESOLUTION.

Mr. Irwin had leave to offer the following resolution:

Resolved, That the Committee on Elections be and they are hereby authorized to employ a clerk for such time as they may need his services, at a per diem of five dollars, payable out of the contingent expenses of the Senate.

Rules suspended and resolution adopted.

At five o'clock P. M., on motion of Mr. Fowler, the Senate adjourned.

J. T. FARLEY,
President pro tem.

ROBERT FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Tuesday, January 30th, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

J. B. Stevens, Minute Clerk of the Senate, was granted leave of absence for one week.
Mr. Duffy was granted indefinite leave of absence.

REMONSTRANCE.

Mr. Farley presented a remonstrance from citizens of Amador County against the passage of Assembly Bill No. 171.
Read and referred to the Amador delegation.

PETITIONS.

Mr. Larkin presented a petition from citizens of Tulare County for the passage of the No Fence Law.
Referred to the Committee on Agriculture.
Mr. Keys presented a petition from citizens of Merced County for the passage of the No Fence Law.
Referred to the Committee on Agriculture.

REPORTS.

Reports were made as follows:

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 121—An Act to amend an Act to regulate fees of offices and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.
Also, Senate Bill No. 105—An Act authorizing a telegraph between Los Angeles and Wilmington, in Los Angeles County.
Also, Senate Bill No. 112—An Act to incorporate the Town of Wilmington, in the County of Los Angeles, in the State of California.

NEFF, for Committee.

Mr. Beck, from the Committee on Public Buildings, made a lengthy report, the reading of which was dispensed with, and ordered printed.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Education, to whom was referred Senate Concurrent Resolution—Relative to requesting Congress to appropriate the public lands of the United States for educational purposes—have had the same under consideration, ask leave to report the same back amended, and recommend its passage as amended.

TUTTLE, Chairman.

On motion of Mr. Finney, the resolution above reported was ordered on file for Friday next.

Mr. Van Ness verbally reported Senate Bill No. 163, and recommended its passage.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Larkin—An Act to appropriate money to pay the outstanding Indian War Bonds issued by the State of California under an Act of the Legislature, approved May third, eighteen hundred and fifty-two, and Acts supplementary thereto.

Read first and second times and referred to the Committee on Claims.

By Mr. Goodale—An Act to authorize the Public Administrator of Contra Costa County to act as Coroner.

Read first and second times and ordered on file.

By Mr. Goodale—An Act concerning official bond of Public Administrator of Contra Costa County.

Read first and second times and ordered on file.

By Mr. Wing—An Act granting the right of way and right to construct, maintain, and operate a railroad from Owens Lake, in the County of Inyo, to the City of Los Angeles, or to tide water of the Pacific Ocean.

Read first and second times and referred to the Committee on Corporation.

By Mr. Minis—An Act to amend an Act to provide for the management and sale of lands belonging to the State.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands.

By Mr. Perkins—Proposed amendments to the Constitution.

Read first and second times and referred to the Judiciary Committee.

By Mr. Wilson—An Act authorizing the holding of special terms of the District Court of the Seventeenth Judicial District.

Read first and second times and referred to the Judiciary Committee.

RESOLUTION.

The following resolution was offered:

By Mr. Banvard:

Resolved, That the Minute Clerk of the Senate be and he is hereby authorized to appoint an assistant, who shall receive the same per diem as is allowed the Minute Clerk, payable out of the appropriation for contingent expenses of the Senate.

Rules suspended and resolution adopted on motion of Mr. Banyard.

GENERAL FILE.

Senate Bill No. 41—An Act for the relief of James M. Kane.

Read a third time and passed.

Assembly Bill No. 169—An Act legalizing the ordinances of the City of Oakland.

Read a third time and passed.

Assembly Bill No. 67—An Act defining the time within which certain actions may be brought.

Referred to the Committee on Commerce and Navigation.

Assembly Bill No. 195—An Act fixing the salary of the County Judge of Los Angeles County.

Amendment reported by the Judiciary Committee adopted, bill read a third time and passed.

Assembly Bill No. 128—An Act to legalize the assessment and equalization of taxes in the County of El Dorado.

Report of Committee adopted, and Senate refused to pass the bill.

Assembly Bill No. 170—An Act to amend section five of an Act entitled an Act to provide funds to be applied to building a hospital in the City and County of San Francisco.

Read a third time and passed.

Assembly Bill No. 114—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons.

Amendment reported by the Judiciary Committee adopted, bill read a third time and passed.

Assembly Bill No. 118—An Act to amend an Act entitled an Act to provide for the appointment and prescribe the duties of guardians.

Recommitted to Judiciary Committee.

Assembly Bill No. 126—An Act to regulate the forfeiture of policies of life insurance.

Amendment reported by the Judiciary Committee adopted; bill read a third time and passed.

Assembly Joint Resolution No. 12—Relative to abolishing the duty on quicksilver.

Read a third time and adopted.

Senate Bill No. 152—An Act supplemental to and amendatory of an Act entitled an Act to authorize the construction of a swing or draw-bridge across the San Antonio Creek, in the County of Alameda, approved April fourth, eighteen hundred and seventy.

Rules suspended, considered engrossed, bill read a third time and passed.

Senate Bill No. 76—An Act to provide a State Armory.

Passed on file until Thursday next.

Senate Bill No. 135—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public, and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two.

Ordered engrossed.

Senate Bill No. 164—An Act for the relief of James H. Clark, late Health Inspector of the City and County of San Francisco.

Upon the engrossment of the bill the ayes and noes were demanded by Messrs. Oulton, McKusick, and Betge, and the Senate refused by the following vote:

AYES—Messrs. Banvard, Botge, Fowler, Gwin, Hutchings, Maclay, McCoy, Tuttle, Van Ness, and Wand—10.

NOES—Messrs. Andross, Beck, Boucher, Crane, Evans, Farley, Garratt, Goodale, Irwin, Kent, Keys, Larkin, McKusick, McMurry, Minis, Neff, O'Connor, Oulton, Perkins, Tompkins, Turner, Wilson, and Wing—23.

Senate Bill No. 137—An Act to prevent the destruction of forests by fire on public lands.

Considered in Committee of the Whole and amended.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the Senate, and bill ordered engrossed.

GENERAL FILE RESUMED.

[President pro tem in the chair.]

Senate Bill No. 124—An Act to regulate proceedings in certain actions against physicians and surgeons.

Indefinitely postponed.

On motion of Mr. Tompkins, the vote by which Assembly Bill No. 114 was passed was reconsidered, and the bill was recommitted to the Judiciary Committee.

Senate Bill No. 176—An Act to provide Road Funds for the Counties of Santa Barbara and San Luis Obispo.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 143—An Act to authorize the Board of Supervisors of Colusa County to levy a special tax.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 118—An Act amendatory of and supplementary to an Act entitled an Act to incorporate the Town of Eureka.

Rules suspended, bill considered engrossed, read a third time and passed.

SPECIAL ORDER.

Substitute for Senate Bill No. 4—An Act concerning section eleven of an Act to protect agriculture, and to prevent the trespassing of animals upon private property, approved March twenty-sixth, eighteen hundred and sixty-six.

On motion of Mr. Maclay, Substitute for Senate Bill No. 4 was made the special order for Thursday next, at one o'clock.

At five o'clock and ten minutes P. M., on motion of Mr. Maclay, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Wednesday, January 31st, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

PETITIONS.

Mr. Finney presented a petition from citizens of San Francisco, praying that the Constitution may be so amended as to confer upon women the right to vote.

Received, and upon motion of Mr. Finney, referred to a special committee of three, to be appointed by the Chair; and the President subsequently appointed such special committee Messrs. Finney, Neff, and Maclay.

Mr. McCoy presented a petition from citizens and voters of the City of San Diego, asking the Legislature to ratify and confirm deeds of conveyance and grants of land within the pueblo lands of San Diego.

Received and referred to the Committee on Swamp and Overflowed Lands.

REPORTS OF STANDING COMMITTEES.

Mr. Neff made a report as follows:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 177—An Act to provide for the transfer of the moneys and other assets in the Permanent School Fund of Siskiyou County to the General School Fund of said county.

Senate Bill No. 171—An Act declaring the San Joaquin River and the Stockton Slough navigable, from and to certain points herein named.

NEFF, for Committee.

Mr. Irwin made the following report:

Mr. PRESIDENT: Your Committee on Public Printing, to whom was referred the Concurrent Resolution providing for the printing of ten thousand copies of the Report of the State Board of Agriculture for the years eighteen hundred and seventy-one and eighteen hundred and seventy-two, beg leave to submit the annexed statements:

We called on the State Printer with the view of obtaining an estimate of the probable cost of printing ten thousand copies, and also five thousand copies of said Report. He was able to furnish only an approximate estimate of the cost. He gave it as his opinion that ten thousand copies would cost about three thousand dollars, and that five thousand copies would cost about two thirds of that sum.

Your committee do not deem it their province to make any recommendation as to what the Senate should do in the premises.

IRWIN, Chairman.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, January 30th, 1872.

To the Senate of the State of California:

At the request of your honorable body, I herewith return, for the purpose of correcting an error, Senate Bill No. 72—An Act amendatory of an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and sixty-one.

NEWTON BOOTH, Governor.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
January 30th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-seventh day of January, eighteen hundred and seventy-two, passed Senate Bill No. 113—An Act to pay the claim of James T. Ryan, for services rendered the State of California as Commissioner of War Bonds.

Also, on the twenty-fifth day of January, eighteen hundred and seventy-two, passed Assembly Bill No. 182—An Act to repeal an Act entitled an Act to create a Board of Levee and Street Commissioners in and for the Town of Pacheco, Contra Costa County, and to define their powers and duties, approved March twenty-ninth, eighteen hundred and seventy.

Also, passed on the same day, Assembly Bill No. 215—An Act granting leave of absence to J. Fred. Eastman, County Treasurer elect of Yuba County.

Also, passed on the same day, Assembly Bill No. 177—An Act to regulate and fix the terms of the several Courts of record in the County of San Mateo.

On the twenty-seventh day of January passed Assembly Bill No. 184—An Act to provide for the opening and improvement of Santa Clara Avenue, in the County of Santa Clara.

Also, on the same day, adopted Assembly Concurrent Resolution No. 14—Relative to appointing a Clerk by the Joint Committee on Political Code.

And respectfully ask the concurrence of the Senate.

Also, on this thirtieth day of January, amended and passed Senate Bill

No. 147—An Act to authorize the Board of Supervisors of Santa Barbara County to build a Court House and Jail in said county, to issue bonds of the said county for the construction thereof, and to provide for the payment of the same.

Also, adopted Assembly Concurrent Resolution No. 15—Relative to payment of expenses of inauguration.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Senate Bill No. 147, above reported, Assembly amendment concurred in.

Assembly Bill No. 182, above reported, read first and second times and ordered on the General File.

Assembly Bill No. 215, above reported, read first and second times and referred to the Yuba delegation.

Assembly Bill No. 177, above reported, read first and second times and, by unanimous consent, the rules were suspended, read a third time and passed.

Assembly Bill No. 184, above reported, read first and second times and referred to the Committee on Corporations.

Assembly Concurrent Resolution No. 14, above reported, concurred in.

Assembly Concurrent Resolution No. 15, above reported, referred to the Special Committee on Inauguration.

REPORTS CONTINUED.

Further reports were submitted as follows:

By Mr. Hutchings:

Mr. PRESIDENT: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 117—An Act to repeal an Act concerning roads and highways in the County of Placer, approved March twenty-ninth, eighteen hundred and seventy.

Also, Senate Bill No. 116—An Act to authorize the erection and maintenance of a bridge in the City of Petaluma.

Also, Senate Bill No. 34—An Act to amend an Act to define the duties and liabilities of pawnbrokers and pledgees.

Also, Senate Bill No. 8—An Act to enable the inhabitants of territory adjacent to any city in this State to annex the same thereto.

Also, Senate Bill No. 84—An Act to provide for the erection of a Court House and Jail in the County of Stanislaus.

And have presented the same to the Governor for his signature at eleven o'clock and twenty-five minutes A. M.

HUTCHINGS, Chairman.

Mr. PRESIDENT: Your Committee on Enrollment most respectfully report that they have examined and find correctly enrolled:

Senate Bill No. 39—An Act authorizing and empowering the Supervisors of Inyo County to sell certain real estate belonging to said county.

Also, Senate Bill No. 97—An Act to enable the Regents of the Un-

versity of California to renew and secure certain loans, and to mortgage and sell certain real estate.

Senate Bill No. 115—An Act amendatory of an Act entitled an Act to reincorporate the City of Petaluma, approved March twenty-seventh, eighteen hundred and sixty-eight.

Also, Senate Concurrent Resolution—Relative to the establishment of a mail route from Lake Valley, El Dorado County, California, to Genoa, in the State of Nevada.

Also, Senate Concurrent Resolution No. 24—Relative to inviting the Japanese Embassy to visit the Capital.

And delivered the same to the Governor at eleven o'clock and twenty-five minutes A. M. this day.

HUTCHINGS, Chairman.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Goodale—An Act relating to Justices of the Peace and constables in the County of Contra Costa.

Read first and second times and referred to the Judiciary Committee.

By Mr. Wand—An Act to provide for a State Reformatory at San Quentin.

Also, a proposed amendment to the Constitution of this State.

Severally read first and second times and referred to Joint Committee on State Prison, and ordered printed.

By Mr. Hutchings—An Act to provide for the funding of the indebtedness of Levee District Number Five, in the County of Sutter.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands.

By Mr. Garratt—An Act to legalize, confirm, and make valid certain contracts for street work in the City and County of San Francisco, and all proceedings of the Board of Supervisors of said city and county relative to the same.

Read first and second times and referred to the San Francisco delegation.

By Mr. Farley—An Act to amend an Act changing the time for holding the County and Probate Court of Amador County, approved December twenty-seventh, eighteen hundred and sixty five.

Read first and second times and referred to the Judiciary Committee.

By Mr. Neff—An Act to provide for the location, construction, and maintenance of public roads and highways in the County of Placer.

Read first and second times, and referred to the Placer delegation.

By Mr. Minis—An Act amending an Act entitled an Act to restrict the herding of sheep.

By Mr. Comte—An Act to amend an Act entitled an Act to restrict the herding of sheep.

Severally read first and second times, and referred to the Committee on Agriculture.

Also—An Act to amend an Act entitled an Act to provide revenue for the support of the State—passed May seventeenth, eighteen hundred and sixty-one.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Pendegast—An Act to provide for the payment of certain claims against Lake County.

Read first and second times, and ordered on file.

Also—An Act providing for the purchase of certain volumes of California Supreme Court Reports.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Van Ness—An Act concerning estrays in the Counties of Santa Barbara and San Luis Obispo.

Read first and second times, and referred to the Committee on Agriculture, and ordered printed.

MOTIONS AND RESOLUTIONS.

Mr. Finney offered a resolution as follows, (by request):

Resolved by the Senate, the Assembly concurring, That the Joint Committee to meet the "Japanese Embassy," be and they are hereby authorized to incur an expense in properly carrying out the object for which said committee was appointed, not to exceed the sum of fifteen hundred dollars.

Mr. Comte moved to refer the resolution to the Committee on Contingent Expenses, on which the ayes and noes were demanded by Mr. Larkin and the requisite number, and the Senate refused by the following vote:

AYES—Messrs. Comte, Farley, Gwin, Hutchings, Larkin, McCoy, Tuttle, Van Ness, and Wand—9.

NOES—Messrs. Banvard, Beck, Boucher, Crane, De Haven, Dyer, Finney, Fowler, Garratt, Goodale, Irwin, Kent, Keys, McKusick, McMurry, Minis, Neff, O'Connor, Oulton, Perkins, Tompkins, Turner, Wilson, and Wing—24.

Mr. Larkin moved to indefinitely postpone the resolution.

Mr. Minis offered an amendment, to reduce the amount to two hundred and fifty dollars.

Lost.

When, on motion of Mr. Tompkins, the resolution was laid on the table.

Mr. Farley, by leave, presented a remonstrance from citizens of Amador County, against the passage of the pending No-Fence Law.

Received and referred to the Committee on Agriculture.

Also, a remonstrance from citizens and taxpayers of Amador County, against the passage of an Act to authorize the payment of James Carroll his unpaid salary as Supervisor of Amador County.

Received and referred to the Amador delegation.

On motion of Mr. Van Ness, Substitute for Assembly Bill No. 160, was referred to the Committee on Agriculture.

Mr. Tuttle offered a resolution as follows:

Resolved, That the Secretary be and is hereby authorized to appoint an Assistant at a per diem of five dollars, payable out of the appropriation for contingent expenses of the Senate.

Adopted under a suspension of the rules.

By Mr. Irwin:

Resolved, That Senators Perkins and Hutchings be and they are hereby added to the Joint Committee for the consideration of the Political Code.

Adopted.

Mr. Wing, by leave, presented a petition from the Citizens of Inyo County, praying for the passage of a "No-Fence Law" for that county.

And from Mr. Dyer, from citizens of Calaveras County, asking that that county be exempt from the provisions of the "No Fence Law."

Received and referred to the Committee on Agriculture.

By Mr. Comte:

Resolved, That Senator Larkin be and he is hereby substituted in place of Senator Comte, on Committee on Claims.

Adopted.

Also,

Resolved by the Senate the Assembly concurring, That the Enrolling Clerk of the Senate be and he is hereby directed to substitute the words "May twentieth" for "May first," wherever the same occurs in Senate Bill No. 72—An Act amending an Act concerning estates of deceased persons.

Adopted.

The resolution reported by the Committee on Printing relative to the printing the Report of the State Board of Agriculture, was taken up and adopted.

On motion of Mr. Comte, Assembly Bill No. 143 was re-referred to the Sacramento delegation.

GENERAL FILE.

Senate Bill No. 105—An Act authorizing a telegraph between Los Angeles and Wilmington.

Read third time and passed.

Senate Bill No. 163—An Act for the relief of S. R. I. Sturgeon, late District Attorney of Santa Barbara County.

And Senate Bill No 182—An Act to authorize the Public Administrator of Contra Costa County to act as Coroner.

And Senate Bill No. 183—An Act concerning the official bond of Public Administrator of Contra Costa County.

Rules suspended, the bills severally considered engrossed, read third time and passed.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
January 31st, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the thirtieth day of January, concurred in Senate amend-

ments to Assembly Bill No. 87—An Act concerning the office of County Clerk in and for the City and County of San Francisco.

Also, on the same day, concurred in Senate amendment to substitute for Assembly Bill No. 141—An Act conferring certain powers on the Board of Supervisors of Lake County.

Also, on the same day, passed Senate Bill No. 129—An Act to provide for the payment of certain coupons upon bonds of the State of California that have been lost.

Also, on the same day, passed Senate Bill No. 54—An Act authorizing the distribution of the Reports of the State Geological Survey.

Also, on the same day, passed Senate Bill No. 111—An Act to authorize the State Board of Examiners to invest moneys derived from State school lands in the bonds of the several counties of this State.

Also, on the same day, passed substitute for Assembly Bill No. 122—An Act to encourage the destruction of squirrels, gophers, and other wild animals, in the Counties of Los Angeles, Napa, Merced, San Bernardino, and Santa Cruz.

Also, Assembly Bill No. 149—An Act to regulate proceedings in civil cases in the Justices' Courts of the City and County of San Francisco.

Also, passed Assembly Bill No. 150—An Act to amend an Act entitled an Act to regulate fees in the City and County of San Francisco, approved February ninth, eighteen hundred and sixty-six.

Also, passed Assembly Bill No. 156—An Act to provide for the liquidation of certain bonds of the City of Sacramento.

Also, passed Assembly Bill No. 209—An Act to legalize, ratify, and confirm certain acts of the Mayor and Common Council of the City of Los Angeles.

Also, passed Substitute Assembly Bill No. 155—An Act to amend the charter of the City of Los Angeles.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 122, above reported, read first and second times and referred to the Committee on Agriculture.

Assembly Bills Nos. 149 and 150, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 156, above reported, read first and second times and referred to the Sacramento delegation.

Senate Bill No. 54, above reported, Assembly amendment concurred in.

Assembly Bills Nos. 209 and 155, above reported, read first and second times and referred to the Committee on Corporations.

At twelve o'clock and thirty-seven minutes P. M., on motion of Mr. Oulton, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Thursday, February 1st, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Mr. Andross was granted leave of absence for one day.

PETITIONS.

The following petitions were presented:

By Mr. Farley—From citizens of Amador County remonstrating against the passage of Assembly Bill No. 171—Providing for the payment of James Carrol his unpaid salary as Supervisor of Amador County.

Received and referred to the Amador delegation.

By Mr. Banyard—From citizens of Placer County in reference to the pending "No Fence Law."

By Mr Dyer—From citzens of Calaveras County, praying that the benefits of the "Trespass" or "No-Fence Law" may be extended over a portion of that county described in the petition.

By Mr. McCoy—From citizens of San Diego County, asking that said county may be exempted from the operations of any laws termed "Trespass" or "No-Fence Laws."

The petitions were received and severally referred to the Committee on Agriculture.

By Mr. Pendegast—From citizens and taxpayers of Lake County in reference to attaching a portion of Lake County to the County of Napa.

Received and referred to the Committee on Counties and County Boundaries.

REPORTS OF STANDING COMMITTEES.

Mr. Tompkins submitted a report from the Judiciary Committee, as follows:

Mr. PRESIDENT: The Committee on Judiciary have had under consideration Assembly Bill No. 204—An Act to repeal an Act entitled an Act in relation to the office of Court Commissioner of the County of San Joaquin, approved March twelfth, eighteen hundred and seventy—and report the same back and recommend its passage.

Also, Assembly Bill No. 44—An Act to authorize Judges to hold Courts in other counties than those for which they have been elected in certain cases—and report the same back and recommend that it do not pass.

Also, Senate Bill No. 156—An Act to amend an Act entitled an Act concerning divorces from bed and board and from the bonds of matri-

mony, approved March twenty fifth, eighteen hundred and fifty one—and report the same back and recommend that it does not pass.

Also, Senate Bill No. 126—An Act in relation to Coroners—and report the same back and recommend the adoption of the amendments and the passage of the bill as amended.

Also, Senate Bill No. 146—An Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one—and report the same back and recommend that it be referred to the Committee on State and County Revenue, as the bill presents no legal question for the consideration of this committee, being one purely of revenue, and more properly belongs to that committee.

Also, Senate Bill No. 168—An Act to legalize the street assessments and assessment rolls of the City of Petaluma for the fiscal years eighteen hundred and seventy and eighteen hundred and seventy one respectively—your committee report it back and recommend that it do not pass, for the reason that if the bill passes it will be wholly invalid. There is nothing in the bill to indicate wherein lies the illegality of either the street assessments or the assessment rolls. Resort must be had, therefore, to the general principle governing such cases. To render street assessments valid, the various acts prescribed by the statute must, in all essential particulars, be strictly performed. In assessments for general or special revenue purposes, the constitution and law must be strictly followed. Defect in the mode of assessment may be remedied by subsequent legislation of a curative character, but if the assessment roll does not contain substance sufficient to make it valid, no subsequent legislation can cure the defect.

If the assessments in this case have been legally made, a law to make them legal is unnecessary; if not, they are void, and no legislation can make them valid.

TOMPKINS, Chairman.

On motion of Mr. Tompkins, Senate Bill No. 146, above reported, was referred to the Committee on State and County Revenue.

Mr. Van Ness made a report as follows:

Mr. PRESIDENT: The Committee on Public Morals have had under consideration Senate Bill No. 52—An Act to punish adultery—report the same back with amendments, and recommend the adoption of the amendments, and the passage of the bill as amended.

Also, Senate Bill No. 53—An Act to punish seduction—report the same back with amendments, and recommend the adoption of the amendments, and the passage of the bill as amended.

Also, Senate Bill No. 65—An Act to prevent the sale of intoxicating drinks to minors—report the same back with amendments, and recommend the adoption of the amendments, and the passage of the bill as amended.

Also, your committee report back Senate Bill No. 56—An Act to prevent libelous publications—and recommend that it be referred to the Committee on Judiciary, as the question involved is more of a legal than a moral nature.

VAN NESS, Chairman.

On motion of Mr. Van Ness, Senate Bill No. 56, above reported, was referred to the Judiciary Committee.

Mr. Hutchings made a report as follows:

Mr. PRESIDENT: Your Committee on Enrollment most respectfully report that they have examined and find correctly enrolled Senate Bill No. 113 —An Act to pay the claim of James T. Ryan, for services rendered the State of California as Commissioner of War Bonds, and presented the same to the Governor at eleven o'clock and fifteen minutes A. M., this day.

HUTCHINGS, Chairman.

Mr. Wilson made the following report:

Mr. PRESIDENT: The Committee on Agriculture, to whom was referred Senate Bills Nos. 130, 131, and 132, having duly considered the same, beg leave to report that they see no reason to differ from their report heretofore made on Senate Bill No. 4; that from the diversity of sentiment and conflicting interests involved, your committee are satisfied that no general bill which they might report would meet the requirements or be acceptable to the State at large.

From testimony taken before your committee in regard to Senate Bill No. 130, your committee are satisfied that the weight of testimony is rather against than in favor of the passage of the No Fence Law in that portion of Fresno County named in said bill.

Your committee therefore beg leave to report back Senate Bills Nos. 130, 131, and 132, and recommend that they be considered in Committee of the Whole, where the several counties can be heard through their representatives.

All of which is respectfully submitted, etc.

WILSON, Chairman.

By Mr. Neff:

Mr. PRESIDENT: Your special committee, the Placer delegation, to whom was referred Senate Bill No. 194—An Act to provide for the location, construction, and maintenance of public roads and highways in the County of Placer—have had the same under consideration, and respectfully report the same back and recommend its passage.

BANVARD,
NEFF,
Delegation.

On motion of Mr. Banvard, the rules were suspended and the bill above reported taken up for consideration.

Rules further suspended, bill considered engrossed, read a third time and passed.

Mr. Minis verbally reported back Senate Bill No. 178, heretofore referred to the Yolo delegation, and recommended its reference to the Judiciary Committee.

So ordered.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 1st, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 84—An Act to provide for the erection of a Court House and Jail in the County of Stanislaus.

NEWTON BOOTH,
Governor.

A message was also received from the Governor calling the attention of the Senate to an Act of Congress, approved July twenty-seventh, eighteen hundred and sixty-one, making suggestions in reference to the same, and requesting that the message be transmitted to the Assembly.

The message was referred to the Committee on Finance.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
January 31st, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-sixth day of January, adopted and passed Assembly substitute for Senate Bill No. 61—An Act to repeal an Act entitled an Act to empower the Board of Supervisors of the several counties of the State to aid in the construction of a railroad in their respective counties, approved April fourteenth, eighteen hundred and seventy.

Also, on the thirty-first day of January, adopted Assembly Concurrent Resolution No. 16—Relative to appointment of a clerk for the Joint Committee on Hospitals—and respectfully ask the concurrence of the Senate.

Also, on the thirty-first day of January, passed Assembly Bill No. 31—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
February 1st, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-seventh day of January, passed Assembly Joint Resolution No. 10—Providing for a ratification of the Fifteenth Amendment to the Constitution of the United States.

Also, passed Assembly Joint Resolution No. 14—Providing for the ratification of the Fourteenth Amendment to the Constitution of the United States.

Also, passed substitute for Assembly Bill No. 42—An Act to amend an Act entitled an Act to establish a quarantine for the Bay and Harbor of San Francisco, and sanitary laws for the City and County of San Francisco.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly substitute for Senate Bill No. 61, above reported, read first and second times, and referred to the Committee on Corporations.

Assembly Bill No. 31, above reported, read first and second times, and referred to the Committee on Public Lands.

Assembly Concurrent Resolution No. 16, above reported, on motion of Mr. O'Connor, the resolution was amended so as to make the per diem of the Clerk five dollars, and adopted as amended.

Substitute for Assembly Bill No. 42, above reported, read first and second times, and referred to the San Francisco delegation.

Assembly Joint Resolutions Nos. 10 and 14, above reported, read first and second times, and referred to the Committee on Federal Relations.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Garratt—An Act to provide for the payment of certain coupons upon bonds of the State of California that have been lost.

Read first and second times, and with affidavits accompanying the same, referred to the Committee on Claims.

By Mr. DeHaven—An Act entitled an Act to provide for the manner of auditing claims against Humboldt County, and to provide for the reduction of taxation therein, and expenses thereof, approved April first, eighteen hundred and seventy.

Also, An Act fixing the compensation of the Treasurer and Assessor of Humboldt County.

The bills were read first and second times and referred to the Committee on State and County Revenue.

By Mr. Tompkins—An Act in relation to the removal of the county seat of Alameda County.

Read first and second times and referred to the Committee on Counties and County Boundaries.

By Mr. Goodale—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and Acts amendatory thereof and supplemental thereto.

Read first and second times, referred to the Judiciary Committee, and ordered printed.

By Mr. Finney—An Act to amend an Act entitled an Act to define and limit the compensation of officers and reduce public expenses and taxation in the County of San Mateo, approved February sixth, eighteen hundred and sixty-four.

Read first and second times and referred to the Committee on State and County Revenue.

By Mr. Wing—An Act to amend an Act entitled an Act to abolish the office of Public Administrator in the Counties of Tuolumne and Santa Barbara, approved April eighteenth, eighteen hundred and fifty nine.

Read first and second times and referred to the Judiciary Committee.

Also, an Act entitled an Act to authorize the Board of Trustees of the City of Sonora to establish a Fire Department Fund, and for other purposes.

Read first and second times, rules suspended, and by unanimous consent, read a third time and passed.

By Mr. Evans—An Act concerning the military of the State of California.

Read first and second times and referred to the Military Committee, and subsequently, on motion of Mr. Beige, ordered printed.

REPORT.

Mr. Tuttle made the following report:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 176—An Act to provide Road Funds for the Counties of Santa Barbara and San Luis Obispo.

Also, Senate Bill No. 118—An Act amendatory of and supplementary to an Act to incorporate the Town of Eureka, approved April ninth, eighteen hundred and fifty-nine.

Also, Senate Bill No. 135—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties, approved April twenty fifth, eighteen hundred and sixty-two.

Also, Senate Bill No. 143—An Act to authorize the Board of Supervisors of Colusa County to levy a special tax.

TUTTLE, for Committee.

NOTICE.

Notice of the introduction of a bill was given by Mr. Tuttle, as follows:

For an Act concerning roads and highways in Sonoma County.

GENERAL FILE.

Assembly Bill No. 182—An Act to repeal an Act entitled an Act to create a Board of Levee and Street Commissioners in and for the Town of Pacheco, Contra Costa County, and define their powers and duties, approved March twenty ninth, eighteen hundred and seventy.

Also, Senate Bill No. 198—An Act to provide for the payment of certain claims against Lake County.

Rules suspended, the Bills severally considered engrossed, read a third time and passed.

On motion of Mr. Comte, Senate Bill No. 76, being the special order for this day, was ordered on the file for Tuesday next.

Mr. Fowler moved to take up for consideration, in connection with Senate Bill No. 4, being the special order for to-day at one o'clock, all bills having reference to the same subject, and which have been reported from the Committee on Agriculture.

Pending which, at twelve o'clock and seven minutes P. M., on motion of Mr. Pendegast, the Senate took a recess until one o'clock P. M.

REASSEMBLED.

At one o'clock P. M., the Senate reassembled.
President in the chair.
Roll called.
Quorum present.

SPECIAL ORDER.

Senate Bill No. 4—An Act concerning section eleven of an Act to protect agriculture, and to prevent the trespassing of animals upon private property, approved March twenty sixth, eighteen hundred and sixty six.

The motion of Mr. Fowler, pending at the time a recess was ordered, was considered, and it prevailed.

Mr. Keys asked and obtained leave to withdraw an amendment offered by him when Senate Bill No. 4 was under consideration on a former day.

Mr. Keys offered a new amendment to the bill.

Mr. Larkin offered an amendment to the amendment, being a resolution to re-refer the whole matter to the Committee on Agriculture, with special instructions.

Amendment to the amendment adopted.

JAPANESE EMBASSY.

Mr. Maclay announced the presence of the Japanese Embassy.

Mr. Tompkins moved to postpone further consideration of the question before the Senate, until after the reception of the Embassy.

The motion prevailed.

The President of the Senate directed the Sergeant at Arms to provide seats for the distinguished strangers.

Mr. Maclay introduced to the President the Hon. Charles E. DeLong, the United States Minister at Japan, who, in turn, introduced the individual members of the Embassy, who were seated within the bar of the Senate.

On motion of Mr. Finney, Senate Concurrent Resolution No. 23, was made the special order for to-morrow, (Friday), at one o'clock P. M.

On motion of Mr. Maclay, Minister DeLong was invited to address the Senate upon the subject of his mission.

Mr. DeLong accepted the invitation, was introduced by the President, and made a brief address, after which the Embassy retired from the floor of the Senate.

At one o'clock and thirty minutes P. M., Mr. Larkin moved to adjourn.

Lost.

Mr. Pendegast asked for the reading of the amendment which re-referred Senate Bill No. 4, and the other bills upon the same subject, to the Committee on Agriculture.

It was read for information.

Mr. Pendegast moved to reconsider the vote by which the amendment was adopted.

Mr. Tompkins offered a resolution as follows:

Resolved, That this Senate welcome with great satisfaction the Minister from the United States to Japan, and the distinguished Embassy by which he is accompanied, and express the cordial hope that their coming

may be the harbinger of a commercial intercourse that shall add largely to the prosperity and happiness of the people of both countries.

Adopted unanimously.

Mr. Evans renewed the motion to reconsider the vote adopting the amendment offered by Mr. Larkin.

Points of order were raised by Mr. Pendegast and Mr. Larkin, in reference to the adoption of the amendment, when on the question of reconsideration, the ayes and noes were demanded by Messrs. Larkin, Keys, and Fowler, and the motion to reconsider prevailed by the following vote:

AYES—Messrs. Banvard, Beck, Betge, De Haven, Dyer, Evans, Farley, Finney, Garratt, Goodale, Gwin, Irwin, Keys, Maclay, McKusick, Minis, Oulton, Pendegast, Tompkins, Turner, Van Ness, and Wing—22.

NOES—Messrs. Boucher, Conte, Crane, Fowler, Hutchings, Kent, Larkin, McCoy, McMurry, Neff, O'Connor, Perkins, Tuttle, Wand, and Wilson—15.

Mr. Larkin, by consent of the Senate, withdrew his amendment.

Mr. Larkin moved the previous question, which was duly seconded. Sustained.

On adopting the amendment offered by Mr. Keys, the ayes and noes were demanded by Mr. Fowler and the requisite number, and the Senate refused by the following vote:

AYES—Messrs. Andross, Banvard, Beck, Dyer, Evans, Finney, Garratt, Gwin, Keys, Maclay, Oulton, Pendegast, Tompkins, Turner, and Wing—15.

NOES—Messrs. Boucher, Crane, De Haven, Farley, Fowler, Goodale, Hutchings, Irwin, Kent, Larkin, McCoy, McKusick, McMurry, Minis, Neff, O'Connor, Perkins, Tuttle, Van Ness, Wand, and Wilson—21.

The question being "Shall the bill pass to engrossment?" the ayes and noes were demanded by Messrs. Fowler, O'Connor, and Larkin, and the Senate refused by a vote as follows:

AYES—Messrs. Beck, Betge, Garratt, Maclay, Oulton, Pendegast, Tompkins, and Turner—8.

NOES—Messrs. Banvard, Boucher, Crane, De Haven, Dyer, Evans, Farley, Finney, Fowler, Goodale, Gwin, Hutchings, Irwin, Kent, Keys, Larkin, McCoy, McKusick, McMurry, Minis, Neff, O'Connor, Perkins, Tuttle, Van Ness, Wand, Wilson, and Wing—28.

At three o'clock and fifty minutes P. M., on motion of Mr. O'Connor, the Senate adjourned.

J. T. FARLEY,
President pro tem.

ROBERT FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Friday, February 2d, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Mr. Andross was granted leave of absence for one day.

PETITIONS.

On motion of Mr. Tompkins, a petition in relation to the removal of the county seat of Alameda County, now on the table, was referred to the Committee on Counties and County Boundaries.

By Mr. Pendegast (by request)—A remonstrance of two thousand three hundred and forty residents and taxpayers of the County of Alameda against the removal of the county seat of said county.

Referred to the Committee on Counties and County Boundaries.

By Mr. Farley—A remonstrance from citizens and taxpayers of Amador County against the passage of Assembly Bill No. 171—An Act to pay the unpaid salary of James Carrol as Supervisor of said county.

Referred to the Amador delegation.

REPORTS OF STANDING COMMITTEES.

Mr. Neff submitted a report as follows:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 107—An Act to reincorporate the Town of San Luis Obispo.

Also, Senate Bill No. 183—An Act concerning official bond of Public Administrator of Contra Costa County.

Also, Senate Bill No. 182—An Act to authorize the Public Administrator of Contra Costa County to act as Coroner.

Also, Senate Bill No. 137—An Act to prevent the destruction of forests by fire on public lands.

Also, Senate Bill No. 152—An Act supplemental to and amendatory of an Act entitled an Act to authorize the construction of a swing or drawbridge across the San Antonio Creek, in the County of Alameda, approved April fourth, eighteen hundred and seventy.

NEFF, for Committee.

By Mr. Comte:

Mr. PRESIDENT: The Committee on Roads and Highways, to whom was referred Assembly Bill No. 117—An Act concerning roads in the

County of Humboldt, report that they have had the same under consideration, and report the same back and recommend its passage.

They have also had under consideration Assembly Bill No. 110—An Act to amend an Act entitled an Act concerning roads and highways in the County of Mendocino, and recommend its reference to the Mendocino delegation.

They have also had under consideration Senate Bill No. 136—An Act concerning roads in the Counties of Santa Barbara and San Luis Obispo, and respectfully report a substitute therefor, and recommend the passage of the substitute.

COMTE, for Committee.

By Mr. Hutchings:

Mr. PRESIDENT: Your Committee on Enrollment most respectfully report that they have examined, and find correctly enrolled, Senate Bill No. 54—An Act authorizing the distribution of the Reports of the State Geological Survey.

Also, Senate Bill No. 111—An Act to authorize the State Board of Examiners to invest moneys derived from the State school lands in the bonds of the several counties of this State.

Also, Senate Bill No. 129—An Act to provide for the payment of certain coupons upon bonds of the State of California that have been lost.

And have presented the same to the Governor at eleven o'clock and thirty minutes A. M.

HUTCHINGS, Chairman.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 1st, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 8—An Act to enable the inhabitants of territory adjacent to any city in this State to annex the same thereto.

Also, Senate Bill No. 39—An Act authorizing and empowering the Supervisors of the County of Inyo to sell certain real estate belonging to said county.

Also, Senate Bill No. 97—An Act to enable the Regents of the University of California to renew and secure certain loans, and to mortgage and sell certain real estate.

Also, Senate Bill No. 115—An Act amendatory of an Act entitled an Act to reincorporate the City of Petaluma, approved March twenty-seventh, eighteen hundred and sixty-eight.

Also, Senate Bill No. 116—An Act to authorize the erection and maintenance of a bridge in the City of Petaluma.

Also, Senate Bill No. 117—An Act to repeal an Act entitled an Act concerning roads and highways in the County of Placer.

NEWTON BOOTH, Governor.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
February 1st, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the first day of February, concurred in Senate Concurrent Resolution No. 28—Directing the Enrolling Clerk to make a correction in Senate Bill No. 72.

Also, concurred in Senate Concurrent Resolution No. 27—In relation to printing Reports of the State Board of Agriculture.

Also, amended and passed Senate Bill No. 82—An Act to provide for indexing the names of persons who have declared their intentions to become or who have become citizens of the United States in the several Courts of record in this State.

Also, passed Senate Bill No. 159—An Act to amend an Act to incorporate the Town of Santa Barbara, approved February tenth, eighteen hundred and sixty-four.

Also, adopted Assembly Concurrent Resolution No. 17—Relative to requesting the Governor to return Assembly Bill No. 49, and respectfully request the concurrence of the Senate therein.

Also, passed Senate Bill No. 133—An Act to appropriate money for the erection of a monument to ex-Governor John Bigler.

Also, on this first day of February, amended and passed Senate Bill No. 43—An Act concerning the Police Judge's Court of the City and County of San Francisco.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
February 2d, 1872.

MR. PRESIDENT: I am directed to convey to your honorable body the accompananing petition of twelve thousand two hundred and forty-six citizens of the City and County of San Francisco, praying to be exempted from the provisions of the Act commonly known as the "Five Per Cent Act."

Also, sundry petitions from citizens of different counties in this State, of a like nature.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

The petitions above reported were referred to the Committee on Corporations.

Assembly Concurrent Resolution No. 17, concurred in.

Senate Bills Nos. 82 and 42, above reported—Assembly amendments to each of the above bills were concurred in.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Tuttle—An Act to establish a college at Santa Rosa, Sonoma County, California.

Read first and second times, and referred to the Committee on Education.

By Mr. Keys—An Act to amend an Act entitled an Act to promote agriculture, approved March twenty-sixth, eighteen hundred and sixty-six.

Read first and second times, and ordered on file.

By Mr. Tompkins—An Act to incorporate the Town of Alameda.

Read first and second times, and referred to the Committee on Corporations.

By Mr. Ward—An Act to regulate the social evil in the City and County of San Francisco.

Read first and second times, and referred to the Committee on Public Morals, and ordered printed.

By Mr. Pendegast—An Act to amend an Act entitled an Act to raise a fund for the improvement of Napa City, approved January twenty-fourth, eighteen hundred and seventy.

By Mr. Conte—An Act to amend an Act entitled an Act concerning forcible entries and unlawful detainer, and to repeal all other Acts on the same subject, approved April twenty seventh, eighteen hundred and sixty-three.

Also—An Act to provide for entering judgment by confession on promissory notes, and other instruments of writing.

Bills severally read first and second times, and referred to the Judiciary Committee.

GENERAL FILE.

Senate Bill No. 135—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public, and defining their duties, approved April twenty-fifth, eighteen hundred and sixty two.

Read a third time and passed.

Assembly Bill No. 44—An Act to authorize County Judges to hold Courts in other counties than those for which they have been elected, in certain cases.

The Senate refused to pass the bill.

Senate Bill No. 168—An Act entitled an Act to legalize street assessments and the assessment rolls of the City of Petaluma for eighteen hundred and seventy and eighteen hundred and seventy-one.

The Senate refused to pass the bill.

Assembly Bill No. 204—An Act to repeal an Act entitled an Act in relation to the office of Court Commissioner of the County of San Joaquin, approved March twelfth, eighteen hundred and seventy.

Recommitted to the Judiciary Committee.

Senate Bill No. 130—An Act to protect agriculture in a part of Fresno County.

Mr. Fowler moved to indefinitely postpone the bill.

Mr. Tompkins moved to pass the bill on the file.

Lost, on a division.

On motion of Mr. Evans, the bill was placed at the foot of the file

for to-day, and subsequently withdrawn from the further consideration of the Senate, by unanimous consent, on motion of Mr. Pendegast.

Senate Bill No. 132—An Act to amend an Act entitled an Act to prevent the trespassing of animals upon private property, approved March thirty-first, eighteen hundred and fifty-five.

Was withdrawn by the author, by the unanimous consent of the Senate.

Senate Bill No. 156—An Act to amend an Act entitled an Act concerning divorces from bed and board and from the bonds of matrimony, approved March twenty-fifth, eighteen hundred and fifty one.

Was withdrawn by the author, by unanimous consent of the Senate.

Senate Bill No. 157—An Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act concerning estray animals, passed April nineteenth, eighteen hundred and fifty six, approved March twenty-eighth, eighteen hundred and fifty-nine.

Amendments adopted, and bill ordered engrossed.

Senate Bill No. 65—An Act to prevent the sale of intoxicating drinks to minors.

Amendments adopted, and bill ordered engrossed.

Senate Bill No. 53—An Act to punish seduction.

Amendments adopted, and bill ordered engrossed.

Senate Bill No. 52—An Act to punish adultery.

Amendments adopted, and bill ordered engrossed.

Senate Bill 126—An Act in relation to Coroners.

Amendments adopted, and the bill referred to the San Francisco delegation.

SPECIAL ORDER.

Senate Concurrent Resolution No. 23—Relative to requesting Congress to appropriate public lands of the United States for educational purposes—was taken up. Amendments proposed by the Committee on Education, adopted. An amendment offered by Mr. Oulton, adopted.

On motion of Mr. Irwin, the resolution was made the special order for Tuesday next, at one o'clock P. M.

ADJOURNMENT.

Mr. Betge, by leave, offered a resolution as follows:

Resolved, That when the Senate adjourns, it adjourns to meet again at two and a half o'clock on Monday next.

On adopting the resolution the ayes and noes were demanded by Messrs. Larkin, Irwin, and Turner, and the resolution was adopted by the following vote:

AYES—Messrs. Banvard, Beck, Betge, Boggs, Boucher, Comte, Dyer, Evans, Farley, Finney, Goodale, Gwin, Hutchings, Kent, Maclay, McKusick, Pendegast, and Wing—18.

NOES—Messrs. Crane, De Haven, Garratt, Irwin, Keys, Larkin, McCoy, Minis, Neff, O'Connor, Oulton, Perkins, Tompkins, Turner, Tuttle, Wand, and Wilson—17.

On motion of Mr. Goodale, the Committee on Hospitals was granted indefinite leave of absence.

REPORT.

Mr. Hutchings made a report as follows:

Mr. PRESIDENT: Your Committee on Enrollment most respectfully report that they have examined and find correctly enrolled Senate Bill No. 147—An Act to authorize the Board of Supervisors of Santa Barbara County to build a Court House and Jail in said county, to issue bonds of the said county for the construction thereof, and to provide for the payment of the same—and have delivered the same to the Governor this day, at twelve o'clock and fifteen minutes P. M.

HUTCHINGS, Chairman.

At twelve o'clock and fifty minutes P. M., on motion of Mr. Neff, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Monday, February 5th, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of Friday last read and approved.

PETITIONS.

Petitions were presented as follows:

By Mr. Maclay—From residents and taxpayers of the City of San José in favor of the passage of an Act for the incorporation of Santa Clara Avenue in the County of Santa Clara.

Referred to the Santa Clara Delegation.

By Mr. Van Ness—From citizens and taxpayers of San Luis Obispo County, asking the passage of a law, to be applicable to said county, to more effectually prevent the trespassing of animals upon private property.

Referred to the Committee on Agriculture.

By Mr. Comte—From mechanics and laborers employed in the construction of the State Capitol and Governor's Mansion in reference to the payment for said labor.

Referred to the Committee on Finance.

REPORTS OF STANDING COMMITTEES.

Reports were made as follows:

By Mr. Minis:

Mr. PRESIDENT: Your Committee on Swamp and Overflowed Lands, to whom was referred Senate Bill No. 10—An Act to legalize, ratify, and confirm deeds of conveyances and grants of land made by the municipal authorities of the City of San Diego, have carefully and slightly amended the said bill, and herewith report the same back and recommend its passage as amended.

MINIS, Chairman.

On motion of Mr. Minis, the above reported bill was ordered on file.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 194—An Act to provide for the location, construction, and maintenance of public roads and highways in the County of Placer.

Also, Senate Bill No. 163—An Act for the relief of S. R. I. Sturgeon, late District Attorney of Santa Barbara County.

Also, Senate Bill No. 53—An Act to prevent seduction.

Also, Senate Bill No. 65—An Act to prevent the sale of intoxicating drinks to minors.

Also, Senate Bill No. 131—An Act to amend an Act entitled an Act amendatory of and supplementary to an Act concerning estray animals, passed April nineteenth, eighteen hundred and fifty-six, approved March twenty-eighth, eighteen hundred and fifty-nine.

Also, Senate Bill No. 208—An Act entitled an Act to authorize the Board of Trustees of the City of Sonora to establish a Fire Department Fund and for other purposes.

Also, Senate Bill No. 198—An Act to provide for the payment of certain claims against Lake County.

Also, Senate Bill No. 52—An Act to punish adultery.

TUTTLE, for Committee.

By Mr. Tompkins:

Mr. PRESIDENT: The Committee on Judiciary having had under consideration Senate Bill No. 56—An Act to prevent libelous publications.

Also, Senate Bill No. 149—An Act for the relief of John B. Harmon.

Also, Senate Bill No. 157—An Act concerning the Board of Supervisors.

Also, Senate Bill No. 161—An Act concerning the limitation of actions and proceedings in certain cases.

And now report the same back, and recommend that they do not pass.

Also, had under consideration Senate Bill No. 188—An Act relating to Justices of the Peace and Constables in the County of Contra Costa.

This bill provides for the election of Justices of the Peace in each election precinct of the county by the electors of the precinct, and so far as it relates to such officers your committee believe it to be uncon-

stitutional. Section nine, article six, provides that "the Legislature shall determine the number of Justices of the Peace to be elected in each city and township of the State, and fix by law their powers, duties, and responsibilities." Justices of the Peace cannot, therefore, be elected by the electors of any territory less than a township. The boundaries of election precincts not being fixed by law, but under the control of Boards of Supervisors, and liable to be changed at each occurring election, presents one very strong argument against the provision of the bill relating to the election of constables. Your committee therefore report the same back and recommend that it do not pass.

Also, had under consideration: Assembly substitute for Assembly Bill No. 114—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one—and report the same back and recommend the adoption of the amendments before reported by the committee, and the passage of the bill as amended.

Also, Senate Bill No. 178—An Act to separate the office of County Recorder from that of County Clerk in the County of Yolo, and to provide for the election of a County Recorder therein.

And report the same back with amendments, and recommend the adoption of the amendments and the passage of the bill as amended.

Also, Senate Bill No. 167—An Act to amend an Act entitled an Act defining the rights of husband and wife, passed April seventeenth, eighteen hundred and fifty, amended May twelfth, eighteen hundred and sixty-two.

Your Committee report the same back with amendments, and recommend the adoption of the amendments, and with the exception of section three thereof, the passage of the bill as amended.

Your Committee are divided in opinion upon section three of the bill, and make no recommendation in reference thereto, except that if it be acceptable to the Senate, that the amendment to the section reported by the committee be adopted.

Also, had under consideration Senate Bill No. 183—An Act to amend an Act changing the time for holding the County and Probate Courts in the County of Amador, approved December twenty-seventh, eighteen hundred and sixty-five—and report the same back with a substitute therefor, and recommend the adoption of the substitute and the passage of the same.

Also, Senate Bill No. 151—An Act to empower the Probate Court of the County of Santa Clara to review an alleged error in the matter of the estate of James Donahue.

And report the same back with a substitute, and recommend the adoption of the substitute and the passage of the same.

TOMPKINS, Chairman.

By Mr. Wilson:

Mr. President: The Committee on Agriculture, to whom was referred Substitute for Assembly Bill No. 100—An Act to protect agriculture, and to prevent the trespassing of animals upon private property in the Counties of Los Angeles and San Diego—have carefully examined and considered the said substitute, and respectfully report the same back, together with a substitute therefor, and recommend the passage of the latter substitute.

WILSON, Chairman.

Mr. PRESIDENT: The Committee on Agriculture, to whom was referred Substitute for Assembly Bill No. 122—An Act to encourage the destruction of squirrels, gophers, and other wild animals in the counties of Los Angeles, Napa, Merced, San Bernardino, and Santa Cruz—have had the same under consideration, beg leave to report said bill back and recommend its passage.

WILSON, Chairman.

By Mr. Hutchings:

Mr. PRESIDENT: Your Committee on Enrollment most respectfully report that they have examined and find correctly enrolled Senate Bill No. 82—An Act to provide for indexing the names of persons who have declared their intention to become or who have become citizens of the United States, in the several Courts of record in this State.

Also, Senate Bill No. 159—An Act to amend an Act to incorporate the Town of Santa Barbara, approved February tenth, eighteen hundred and sixty-four—and have delivered the same to the Governor this day at three o'clock, P. M.

HUTCHINGS, Chairman.

REPORTS FROM SELECT COMMITTEES.

Mr. Perkins, for the Special Committee on Inauguration, verbally reported back Assembly Concurrent Resolution No. 15, recommending its passage.

Mr. Farley submitted the first report of the Joint Committee to Examine the Codes prepared by the Revision Commission.

On motion of Mr Farley, the reading of the report was dispensed with, and the usual number of copies ordered printed.

[For report, see Appendix.]

Mr. McKusick made the following report:

Mr. PRESIDENT: Your special committee, consisting of the Sacramento and El Dorado delegations, to whom was referred Assembly Bill No. 11—An Act to amend an Act entitled an Act to consolidate certain school districts of the Counties of El Dorado and Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three—report the same back with a substitute, and would respectfully recommend the adoption of the substitute.

McKUSICK,
COMTE,
For Committee.

On motion of Mr. McKusick, the rules were suspended to consider the bill above reported.

Substitute adopted.

Rules further suspended, bill considered engrossed, read a third time and passed.

Substitute for Senate Bill No. 151, reported from the Judiciary Committee to-day—An Act to empower the Probate Court of the County of Santa Clara to rectify an alleged error in the matter of the estate of James Donahue—was taken up under a suspension of the rules.

Substitute adopted, considered engrossed, read a third time and passed.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 2d, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 113—An Act to pay the claim of James T. Ryan for services rendered the State of California as Commissioner of War Bonds.

Also, Senate Bill No. 147—An Act to authorize the Board of Supervisors of Santa Barbara County to build a Court House and Jail in said county, to issue bonds of said county for the construction thereof, and to provide for the payment of the same.

Also, Senate Bill No. 54—An Act to authorize the distribution of the Reports of the State Geological Survey.

Also, Senate Bill No. 111—An Act to authorize the State Board of Examiners to invest the moneys derived from State school lands in the bonds of the several counties of this State.

Also, Senate Bill No. 129—An Act to provide for the payment of certain coupons upon bonds of the State of California that have been lost.

NEWTON BOOTH,
Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 3d, 1872.

To the Senate of the State of California:

I herewith transmit to your honorable body report of the Advisory Committee on the Penal Code.

NEWTON BOOTH,
Governor.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
February 2d, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the second day of February, adopted the accompanying resolution requesting the return from the Senate of Assembly substitute for Senate Bill No. 61, for the purpose of correcting a clerical error in the engrossment of said bill.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

The resolution above reported was ordered on file.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Van Ness—An Act to amend an Act entitled an Act to provide for the funding of the indebtedness of the County of San Luis Obispo outstanding on the first day of July, eighteen hundred and sixty-three, approved March sixth, eighteen hundred and sixty-three.

Also—An Act to amend an Act entitled an Act to regulate fees of office and the salaries of certain officers in the County of San Luis Obispo, approved March twenty-ninth, eighteen hundred and seventy.

Bills severally read first and second times, and referred to the Judiciary Committee.

By Mr. Banvard—An Act making appropriation for deficiencies in the appropriations for the twenty-third fiscal year.

Read first and second times, and referred to the Committee on Finance.

By Mr. Finney—An Act to amend an Act entitled an Act to authorize and require the County of Santa Cruz to pay over certain school moneys to certain school districts in San Mateo County, approved March twenty-seventh, eighteen hundred and seventy.

Read first and second times, and by unanimous consent rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Comte—An Act to pay for services rendered in the State Armory.

Read first and second times, and referred to the Committee on Claims.

By Mr. Farley—An Act to establish a Penal Code.

Read first and second times, and on motion of Mr. Farley, made the special order for Wednesday, the seventh instant, at one o'clock P. M.

[President pro tem in the chair.]

GENERAL FILE.

Senate Bill No. 137—An Act to prevent the destruction of forests by fire on public lands.

Read a third time and passed.

Assembly Bill No. 117—An Act concerning roads in the County of Humboldt.

Ordered on top of file for Tuesday, the sixth instant.

Senate Bill No. 136—An Act concerning roads in the Counties of Santa Barbara and San Luis Obispo.

Substitute adopted, rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 211—An Act to amend an Act entitled an Act to promote agriculture, approved March twenty-sixth, eighteen hundred and sixty-six.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 110—An Act to amend an Act entitled an Act concerning roads and highways in the County of Mendocino, approved March, eighteen hundred and sixty-eight.

Referred to the Mendocino delegation.

At three o'clock and thirty minutes P. M., on motion of Mr. Fowler, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Tuesday, February 6th, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

By Mr. Tompkins, Chairman of the Judiciary Committee:

Mr. PRESIDENT: The Committee on Judiciary have had under consideration Senate Bill No. 196—An Act to amend an Act entitled an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, passed May seventeenth, eighteen hundred and sixty one, approved March thirty-first, eighteen hundred and sixty-six—and report the same back with amendments and recommend the adoption of the amendments and the passage of the bill as amended.

TOMPKINS, Chairman.

By Mr. Hutchings:

Mr. PRESIDENT: Your Committee on Enrollment most respectfully report that they have examined and find correctly enrolled Senate Bill No. 133—An Act to appropriate money for the erection of a monument to ex-Governor John Bigler.

Also, Senate Bill No. 13—An Act concerning the Police Judge's Court of the City and County of San Francisco.

And have delivered the same to the Governor this day at eleven o'clock and fifteen minutes A. M.

HUTCHINGS, Chairman.

Mr. Pendegast, for the Mendocino delegation, verbally reported back Assembly Bill No. 110, recommending its passage.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Van Ness—An Act to provide for the appointment of a Phonographic Reporter in the First Judicial District of this State.

Read first and second times and referred to the Judiciary Committee.

By Mr. Pendegast.—An Act to amend an Act entitled an Act to authorize the County Judges and Probate Judges of this State to hold terms or parts of terms of the County Court and Probate Court in counties other than those for which they were respectively elected, approved March thirteenth, eighteen hundred and sixty eight.

Read first and second times and referred to the Judiciary Committee.

LEAVE TO PRESENT A PETITION.

Mr. Boggs, by leave, presented a petition from W. S. Green, showing—That under authority of an appointment by the Legislature of eighteen hundred and sixty seven and eighteen hundred and sixty eight, associating him with the State Surveyor General and Amos Mathews of Yolo County, as a Board of Commissioners to examine and report upon the practicability of draining the overflowed lands of the Sacramento Valley, that no provision was made for the payment of the necessary expenses of said examination, and asking to have the amount absolutely expended refunded to him, etc.

Referred to the Committee on Claims.

GENERAL FILE.

Assembly Bill No. 117—An Act concerning roads in the County of Humboldt.

Also, Senate Bill No. 65—An Act to prevent the sale of intoxicating drinks to minors.

Also, Senate Bill No. 53—An Act to punish seduction.

Also, Senate Bill No. 131—An Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act concerning estray animals, passed April nineteenth, eighteen hundred and fifty six, approved March twenty eighth, eighteen hundred and fifty nine.

And also, Senate Bill No. 52—An Act to punish adultery.

Bills severally read a third time and passed.

Assembly Bill No. 114—An Act amendatory of an Act entitled an Act to regulate the settlement of estates of deceased persons, passed May first, eighteen hundred and fifty one.

Amendment adopted, read a third time and passed.

Substitute for Assembly Bill No. 122—An Act to encourage the destruction of squirrels and gophers, and other wild animals, in the Counties of Los Angeles, Napa, Merced, San Bernardino, and Santa Cruz.

Read a third time and passed.

Senate Substitute for Assembly Bill No. 160—An Act to protect agriculture and to prevent the trespass of animals upon private property in the Counties of Los Angeles and San Diego.

Substitute adopted, amended, read a third time and passed.

Senate Bill No. 19—An Act to legalize, ratify, and confirm deeds of conveyance and grants of land made by the municipal authorities of the City of San Diego.

Amendment adopted, rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 178—An Act to separate the office of County Recorder from that of County Clerk in the County of Yolo, and to provide for the election of a County Recorder therein.

Amended and ordered engrossed.

Senate Bill No. 167—An Act to amend an Act entitled an Act defining the rights of husband and wife.

Amendments adopted.

Mr. O'Connor moved to strike out section three of the bill as amended, on which the ayes and noes were demanded by Messrs. Finney, De Haven, and Minis, and the Senate refused by the following vote:

AYES—Messrs. Andross, Beck, Beige, Boggs, Comte, De Haven, Dyer, Farley, Fowler, McCoy, McKusick, Minis, O'Connor, Pendegast, Tuttle, Wand, and Wing—17.

NOES—Messrs. Banvard, Boucher, Crane, Finney, Garratt, Hutchings, Kent, Keys, Larkin, Maclay, McMurry, Neff, Oulton, Perkins, Tompkins, Turner, Van Ness, and Wilson—18.

Mr. Farley moved to strike out the enacting clause of the bill, on which the ayes and noes were demanded by Messrs. O'Connor, Minis, and Finney, and the motion prevailed by the following vote:

AYES—Messrs. Andross, Beige, Boggs, Boucher, Comte, De Haven, Dyer, Farley, Fowler, Keys, McCoy, McKusick, McMurry, Minis, O'Connor, Pendegast, Tuttle, Van Ness, Wand, Wilson, and Wing—21.

NOES—Messrs. Banvard, Beck, Crane, Finney, Garratt, Hutchings, Kent, Larkin, Maclay, Neff, Oulton, Perkins, Tompkins, and Turner—14.

SPECIAL ORDER.

Senate Concurrent Resolution No. 23—Relative to requesting Congress to appropriate public lands of the United States for educational purposes.

On motion of Mr. Finney, the special order was discharged, and the resolution made the special order for Thursday, February eighth, at one o'clock P. M.

GENERAL FILE RESUMED.

Senate Bill No. 149—An Act for the relief of John B. Harmon.

Referred to the Committee on Claims.

Senate Bill No. 56—An Act to prevent libelous publications.

The recommendation of the Judiciary Committee, that the bill do not pass, adopted.

Senate Bill No. 193—An Act to amend an Act changing the time for holding the County and Probate Courts in the County of Amador.

Substitute to the bill adopted, rules suspended, bill considered engrossed, read a third time and passed. Title amended.

Senate Bill No. 161—An Act concerning the limitation of actions and proceedings in certain cases.

Also, Senate Bill No. 188—An Act relating to Justices of the Peace and Constables in the County of Contra Costa.

Recommendation of the Judiciary Committee, that the bills do not pass, adopted.

Senate Bill No. 157—An Act concerning the Board of Supervisors.

Referred to the Committee on Public Buildings and Grounds, with a request that the committee report a bill of a general character. So ordered.

Assembly Concurrent Resolution No. 15—Relative to payment of inaugural expenses.

Adopted.

Assembly Resolution—Requesting the return of Senate Bill No. 61 to Assembly.

Request agreed to.

Senate Bill No. 76—An Act to provide a State Armory.

Referred to the Committee on Public Buildings and Grounds.

[President pro tem in the chair.]

MESSAGES FROM THE ASSEMBLY.

The following Assembly messages were read:

ASSEMBLY CHAMBER,
February 6th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the thirtieth day of January, passed Assembly Bill No. 259—An Act to provide a fund for the erection of county buildings in the County of San Bernardino, and other matters relating thereto.

Also, on the thirty-first day of January, passed substitute for Assembly Bill No. 138—An Act relating to a registry, and return of marriages, births, and deaths, and for establishing local Boards of Health, and for other sanitary purposes.

Also, on the thirtieth day of January, passed Assembly Bill No. 257—An Act to provide for the appointment of a Notary Public, to reside at Cloverdale, Sonoma County.

Also, on the fifth day of February, passed Assembly Bill No. 252—An Act to legalize the assessment of damages by the laying out and opening of Union street, in the Town of Watsonville, Santa Cruz County, State of California.

Also, on the same day, passed Assembly Bill No. 240—An Act fixing the salary of the District Attorney of Lassen County.

Also, passed on the same day, Senate Bill No. 177—An Act to provide for the transfer of the moneys and other assets in the Permanent School Fund of Siskiyou County to the General School Fund of said county.

Also, on the same day, amended and passed Senate Bill No. 162—An Act to amend an Act entitled an Act to provide means for the government of the County of Santa Cruz, and for the payment and funding of the debt of said county, approved January thirty-first, eighteen hundred and seventy.

Also, passed Senate Bill No. 32—An Act making appropriation for the payment of Mr. Sharp's bill of carpets, matting, etc., for the new Capitol.

Also, passed Senate Bill No. 152—An Act supplemental to and amendatory of an Act entitled an Act to authorize the construction of a swing or drawbridge across the San Antonio Creek, in the County of Alameda, approved April fourth, eighteen hundred and seventy.

Also, on the same day, passed Senate Bill No. 110—An Act to provide for the payment of the claim of Isador Wormser against the State of California.

Also, on the same day, adopted Assembly Joint Resolution No. 22—Relative to authorizing the Secretary of State to destroy certain canceled claims, and request the concurrence of the Senate.

Also, adopted Assembly Concurrent Resolution No. 18—relative to printing certain reports, and request the concurrence of the Senate.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
February 5th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the second day of February, passed Assembly Bill No. 121—An Act supplemental to an Act entitled an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty.

Also, passed, on the thirtieth January, Assembly Bill No. 219—An Act authorizing certain persons to improve a portion of King's River and to erect booms therein.

Also, passed, on the same day, Assembly Bill No. 208—An Act to provide for the support of schools in certain districts in Tehama County.

Also, on the third day of February, passed Assembly Bill No. 86—An Act amendatory of and supplementary to an Act entitled an Act fixing the number of officers and employes of the Senate and Assembly, to define their duties and establish their pay, approved May twenty-eighth, eighteen hundred and sixty-one.

Also, passed Assembly Bill No. 230—An Act for the repeal of section ten of an Act entitled an Act concerning public roads and highways in the Counties of Santa Cruz and San Diego, approved March twenty first, eighteen hundred and seventy.

Also, passed Assembly Bill No. 145—An Act defining and limiting the time for the payment of bounties and relief pay due the volunteers of the State of California and troops furnished the United States as a portion of its quota.

Also, passed Assembly Bill No. 205—An Act to provide for the appointment of additional Notaries Public for the County of Humboldt.

Also, passed substitute for Assembly Bill No. 112—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Also, passed Assembly Bill No. 183—An Act to restrict the herding of sheep and goats in the County of El Dorado.

Also, passed substitute for Assembly Bill No. 59—An Act to fix the time for holding elections for members of Congress and to repeal certain Acts.

Also, passed Senate Joint Resolution No. 4—Relative to arms issued to the State of California by the United States Government.

Also, passed Senate Bill No. 127—An Act to provide for the payment of deficiency in the State Insane Asylum appropriation for the twenty-third fiscal year, ending June thirtieth, eighteen hundred and seventy-two.

Also, passed Senate Bill No. 90—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one.

Also, passed Senate Bill No. 87—An Act to amend an Act entitled an Act to provide for the formation of corporations for the accumulation and investment of funds and savings, approved April eleventh, eighteen hundred and sixty-two.

Also, passed Senate Bill No. 85—An Act concerning the attendance of

physicians and surgeons in certain cases, and to provide payment for making chemical and post mortem examinations.

Also, on the fifth day of February, passed Senate Bill No. 120—An Act for the relief of James P. Burns.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 249, above reported, read first and second times.

Mr. Fowler moved to suspend the rules for the consideration of the bill.

Carried.

On motion of Mr. O'Connor the bill was referred to the Judiciary Committee.

Assembly Bill No. 121, above reported, read first and second times and referred to the Committee on Corporations.

Assembly Bill No. 208, above reported, read first and second times and referred to the Committee on Education.

Assembly Bill No. 86, above reported, read first and second times and referred to the Committee on Contingent Expenses.

Assembly Bills Nos. 230 and 183, above reported, read first and second times and referred to the delegations named in the bills.

Assembly Bill No. 145, above reported read first and second times and referred to the Committee on Military Affairs.

Assembly Bills Nos. 205, 112, 240, and 252, above reported, severally read first and second times and referred to the Judiciary Committee.

Senate Bill No. 162, above reported. Assembly amendment concurred in.

Assembly Bill No. 59, above reported, read first and second times and referred to the Committee on Elections.

Substitute for Assembly Bill No. 138, above reported, read first and second times and referred to the Committee on Hospitals.

Assembly Bills Nos. 257 and 259, above reported, read first and second times, rules suspended, bills severally read a third time and passed.

Assembly Concurrent Resolution No. 18, above reported, referred to the Committee on Printing.

Assembly Concurrent Resolution No. 22.

On motion of Mr. Oulton an amendment was adopted providing that such documents shall be destroyed in the presence of the State Board of Examiners, and adopted as amended.

RESOLUTION.

Mr. Oulton, by leave, offered the following resolution:

Resolved by the Senate, the Assembly concurring, That the Governor be and is hereby requested to return to the Senate, Senate Bill No. 43, for the purpose of correcting an error in the title of said bill.

Adopted.

On motion of Mr. Wand, at two o'clock and twenty minutes P. M. the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Wednesday, February 7th, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Mr. Fowler was granted leave of absence for the remainder of the week.

REPORTS OF STANDING COMMITTEES.

Reports were made as follows:

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 136—An Act concerning roads in the Counties of Santa Barbara and San Luis Obispo.

Also, Senate Bill No. 211—An Act to amend an Act entitled an Act to promote agriculture, approved March twenty-sixth, eighteen hundred and sixty-six.

Also, Senate Bill 220—An Act to amend an Act entitled an Act to authorize and require the County of Santa Cruz to pay over certain school moneys to certain school districts in San Mateo County, approved March twenty-seventh, eighteen hundred and seventy.

Also, Senate Bill No. 151—An Act to empower the Probate Court of Santa Clara to rectify an alleged error in the matter of the estate of James Donahue.

NEFF, for Committee.

By Mr. Maclay:

Mr. PRESIDENT: Your Committee on Corporations, to whom was referred Assembly Bill No. 15—An Act in relation to sales and conveyances made by the Garden Land Homestead Association — have had under consideration and report the same back with the recommendation that it pass.

Also, have had under consideration Assembly Bill No. 74—An Act to amend an Act entitled an Act to provide for the official valuation of life insurance policies—report the same back and recommend its passage.

Also, have had under consideration Assembly Bill No. 209—An Act to legalize, ratify, and confirm certain acts of the Mayor and Common Council of the City of Los Angeles—report the same back and recommend its passage.

Also, have had under consideration Assembly Bill No. 155—An Act to amend the charter of the City of Los Angeles—report the same back

with amendment, and recommend the adoption of the amendment and the passage of the bill as amended.

MACLAY, Chairman.

By Mr. Hutchings:

Mr. PRESIDENT: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 120—An Act for the relief of James F. Burns—and have presented the same to the Governor for his signature at eleven o'clock and ten minutes A. M.

HUTCHINGS, Chairman.

By Mr. Perkins:

Mr. PRESIDENT: The Committee on Claims have had under consideration Senate Bill No. 123—An Act to repay the Sacramento Light Artillery Company certain moneys necessarily or properly expended by it to maintain its efficiency as one of the military arms of the State.

Also, Senate Bill No. 141—An Act for the relief of Jonas Spect.

And report them back to the Senate, and respectfully recommend that they do not pass.

PERKINS, Chairman.

Mr. Maclay, from the Committee on Corporations, verbally reported back Assembly Bill No. 184, with an amendment, recommending its passage as amended.

REPORTS OF SPECIAL COMMITTEES.

By Mr. Wand:

Mr. PRESIDENT: The San Francisco delegation have had the following bills under consideration, and report them back as follows:

Senate Bill No. 126—An Act in relation to Coroners—amended, and passage recommended as amended.

Also, Senate Bill No. 45—An Act entitled an Act to regulate and provide for the maintenance and support of the San Francisco Labor and Employment Exchange—reported back without recommendation.

Also, Senate Bill No. 174—An Act for the relief of Michael Conniff—reported back with substitute, and passage of substitute recommended.

Also, Assembly Bill No. 149—An Act to regulate proceedings in civil cases in the Justices' Court of the City and County of San Francisco—reported back and passage recommended.

Also, Assembly Bill No. 150—An Act to amend an Act entitled an Act to regulate fees in the City and County of San Francisco, approved February ninth, eighteen hundred and sixty-six—reported back, and passage recommended.

WAND, Chairman.

Mr. Maclay, for the Santa Clara delegation, verbally reported Senate Bill No. 67, with an amendment recommending its passage as amended.

Mr. Pendegast verbally reported Senate Bill No. 214, heretofore referred to the Napa delegation—passage recommended.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
February 6th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the first day of February, passed Assembly Bill No. 220—An Act to provide for the establishment, maintenance, and protection of public roads in Sonoma County.

Also, on the second day of February, passed substitute for Assembly Joint Resolution No. 18—Relative to Yosemite Valley, and request the concurrence of the Senate.

Also, on the sixth day of February, passed Senate Bill No. 176—An Act to provide Road Funds for the Counties of Santa Barbara and San Luis Obispo.

Also, on the same day, passed Senate Bill No. 112—An Act to incorporate the Town of Wilmington, in the County of Los Angeles, in the State of California.

Also, on the same day, the House refused to concur in Senate amendments reported in Assembly Bill No. 53—An Act to distribute the revenue derived from the tax on dogs in Sonoma County.

Also, on the same day, the House refused to concur in Senate Concurrent Resolution No. 7—Creating port of entry.

Also, on the same day, concurred in Senate Concurrent Resolution No. 26—Requiring the Attorney General to bring suit against, in accordance with an Act entitled an Act to relieve owners of encumbered real estate from double taxation, approved April fourth, eighteen hundred and seventy.

Also, on the same day, passed Assembly Bill No. 253—An Act to amend an Act entitled an Act to incorporate the Town of Watsonville, Santa Cruz County, State of California, approved March thirtieth, eighteen hundred and sixty-eight.

Also, on the same day, passed Assembly Bill No. 242—An Act authorizing the Trustees of Santa Barbara, of this State, to issue bonds of the said district for the sum of six thousand dollars.

Also, Senate Bill No. 105—An Act authorizing a telegraph between Los Angeles and Wilmington, in Los Angeles County.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 220, above reported, read first and second times, and referred to the Sonoma delegation.

Substitute for Assembly Joint Resolution, above reported, referred to the Committee on Roads and Highways.

Assembly Bill No. 53, above reported, with non-concurrence of the Assembly to Senate amendment to the bill.

Mr. Tuttle moved that the Senate do recede from its amendment.

Lost on a division.

So the Senate adhered to its amendment.

Assembly Bill No. 253, above reported, read first and second times and referred to the Committee on Corporations.

Assembly Bill No. 242, above reported, read first and second times and ordered on file.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Evans—An Act amendatory of an Act entitled an Act for the protection of game, passed May fifteenth, eighteen hundred and fifty-four.

Read first and second times and ordered on file.

By Mr. Tompkins—An Act to continue the Geological Survey of the State of California.

Read first and second times and referred to Committee on Finance.

By Mr. Oulton—An Act to amend an Act entitled an Act to regulate the interest on money, passed March thirteenth, eighteen hundred and fifty.

Read first and second times and referred to the Judiciary Committee.

MOTIONS, RESOLUTIONS, AND NOTICES.

Mr. Garratt offered a resolution as follows:

Resolved, That His Excellency the Governor be respectfully requested to return to the Senate, for the purpose of correcting a clerical error, Senate Bill No. 34.

Adopted.

By Mr. Maclay:

A concurrent resolution in reference to the payment of the expenses of the Joint Committee of the Senate and Assembly appointed to receive the Japanese Embassy.

Referred to the Committee on Contingent Expenses.

By Mr. Beck:

Resolved, That the Committee on Public Buildings and Grounds be and are hereby allowed the sum of sixty dollars each as mileage on committee duty.

Referred to the Committee on Mileage.

By Mr. Larkin:

Resolved, That the Committee on Reception of the Japanese Embassy be and are hereby required to furnish a bill of items of the expenses incurred by said committee to the Committee on Contingent Expenses of the Senate.

Adopted.

Mr. Maclay submitted the items of amounts expended by the above mentioned committee, which was referred to the Committee on Contingent Expenses.

GENERAL FILE.

Assembly Bill No. 110—An Act to amend an Act entitled an Act concerning roads and highways in the County of Mendocino, approved March, eighteen hundred and sixty-eight.

Passed on the file.

Senate Bill No. 196—An Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, passed May seventeenth, eighteen hundred and sixty-one, approved March thirty-first, eighteen hundred and sixty-six.

Amendment adopted. Ordered engrossed.

SPECIAL ORDER.

Senate Bill No. 221—An Act to establish a Penal Code—was taken up, further reading of the bill dispensed with, rules suspended, bill considered engrossed, read a third time and passed, and the bill ordered transmitted immediately to the Assembly under a suspension of Rule 12 by unanimous consent.

MESSAGES FROM THE GOVERNOR.

The following messages from the Governor were read:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 7th, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 159—An Act to amend an Act to incorporate the Town of Santa Barbara, approved February eleventh, eighteen hundred and sixty-four.

Also, Senate Bill No. 133—An Act to appropriate money for the erection of a monument to ex-Governor John Bigler.

NEWTON BOOTH,
Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 7th, 1872.

To the Senate of the State of California:

I herewith transmit to your honorable body the annual report of the "Regents of the State University."

NEWTON BOOTH,
Governor.

The above report was referred to the Committee on Education, and one thousand copies of the same ordered printed.

At twelve o'clock and thirty-five minutes P. M., on motion of Mr. Finney, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Thursday, February 8th, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

PETITION.

Mr. Finney presented a petition from residents of Yuba and Solano Counties in reference to the enfranchisement of women.

Referred to special committee on woman's suffrage.

REPORTS OF STANDING COMMITTEES.

Mr. Tompkins, Chairman of the Judiciary Committee, made the following report:

Mr. PRESIDENT: The Committee on Judiciary have had under consideration Senate Bill No. 216—An Act to provide for entering judgment by confession on promissory notes and other instruments of writing—and report the same back and recommend that it do not pass.

Also, Assembly Bill No. 5—An Act to repeal an Act entitled an Act to protect litigants, approved March twenty-ninth, eighteen hundred and seventy, and report the same back with an amendment—and recommend the adoption of the amendment, and the passage of the bill as amended.

Also, Assembly Bill No. 2—An Act to repeal an Act entitled an Act authorizing the publication of certain legal notices in a State Paper printed at the seat of government of the State of California, approved March twenty-ninth, eighteen hundred and seventy—and report the same back with an amendment, and recommend the adoption of the amendment. A majority, however, of the committee recommend that the bill do not pass.

Your committee do not report back Assembly Bill No. 152—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one—as action thereon will be determined by the disposition of the two preceding bills by the Senate.

TOMPKINS, Chairman.

By Mr. Larkin:

Mr. PRESIDENT: Your Committee on Contingent Expenses, to whom was referred the resolution for the payment of certain expenses incurred by the Joint Committee appointed to receive the Japanese Embassy, having carefully considered the same, together with the bill of items as presented by the Chairman of said Joint Committee, report as follows:

That in the opinion of your committee there was nothing in the original resolution of invitation authorizing the said Joint Committee to

incur any expense, and from a careful examination of the bill of items, which is in words and figures as follows, viz:

SACRAMENTO, Cal., February 2d, 1872.

Japanese Embassy to Orleans Hotel,

To hotel bill for one hundred and three Japanese: DR.

Hon. C. DeLong, family and servants, Interpreter, Consul, and Surgeon	$600 00
Carriages	250 00
Wine	300 00
Banquet	800 00
Cigars	50 00
Total	$2,000 00

We do not find that any charge has been made against said committee, this bill being a hotel bill and not for any expenses connected with the receiving said Embassy at the State Capital, as authorized by the resolution of invitation. We therefore recommend that the resolution be indefinitely postponed.

McMURRY,
LARKIN,
Of the Committee.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 178—An Act to separate the office of County Recorder from that of County Clerk in the County of Yolo, and to provide for the election of a County Recorder.

Also, Senate Bill No. 10—An Act to legalize, ratify, and confirm deeds of conveyance made by the municipal authorities of the City of San Diego.

Also, Senate Bill No. 193—An Act to regulate the term of the County Court and Probate Court of the several counties of this State.

TUTTLE, for Committee.

Mr. PRESIDENT: The Committee on Education, to whom was referred Senate Bill No. 210—An Act to establish a college at Santa Rosa, in Sonoma County—have had the same under consideration and recommend its passage.

Also, Assembly Bill No. 208—An Act to provide for the support of schools in certain districts in Tehama County—and recommend its passage.

Also, Assembly Bill No. 104—An Act to increase the revenue of the School Fund—and recommend that it do not pass, for the reason that a bill securing the same object has already become a law.

TUTTLE, for Committee.

By Mr. Irwin:

Mr. President: Your Committee on Printing, to whom was referred Assembly Concurrent Resolution No. 18—Providing for printing two thousand four hundred copies of the Report of the State Board of Equalization, and nineteen hundred and twenty copies of the Report of the State Board of Health—have had the same under consideration, and now beg leave to make the following report thereon:

We find by consulting the records of the proceedings of the State Board of Examiners that there have already been printed two thousand five hundred copies of the Report of the State Board of Health, at a cost of two thousand six hundred and eighty-eight dollars and twenty-three cents, and one thousand two hundred copies of the Report of the State Board of Equalization, at a cost of three hundred and fifty dollars. Your Committee being of the opinion that the number of copies already printed of these Reports is sufficient for all necessary purposes, respectfully recommend that this resolution do not pass.

IRWIN, Chairman.

By Mr. Hutchings:

Mr. President: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 152—An Act supplemental to and amendatory of an Act entitled an Act to authorize the construction of a swing or drawbridge across the San Antonio Creek, in the County of Alameda, approved April fourth, eighteen hundred and seventy.

Also, Senate Bill No. 127—An Act to provide for the payment of a deficiency in the State Insane Asylum appropriation for the twenty-third fiscal year.

Also, Senate Bill No. 90—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one.

Also, Senate Bill No. 85—An Act concerning the attendance of physicians and surgeons in certain cases, and to provide payment for making chemical and post-mortem examinations.

Also, Senate Bill No. 177—An Act to provide for the transfer of the moneys and other assets in the Permanent School Fund of Siskiyou County to the General Fund of said county.

And have presented the same to the Governor for his signature at eleven o'clock and thirty-five minutes A. M.

HUTCHINGS, Chairman.

By Mr. Beck:

Mr. President: Your Committee on Public Buildings, to whom was referred Senate Bill No. 76—An Act to provide a State Armory, have had the same under consideration, report the bill back, and recommend that it do not pass.

BECK, for Committee.

MESSAGES FROM THE ASSEMBLY.

The following Assembly messages were read:

ASSEMBLY CHAMBER,
February 7th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the fifth day of February, passed Assembly Bill No. 191—An Act to provide for the protection of the City of Sacramento and Swamp Land District Number Two.

Also, on this seventh day of February, amended and passed Senate Bill No. 137—An Act to prevent the destruction of forests by fire on public lands.

Also, on the same day, passed Senate Bill No. 208—An Act entitled an Act to authorize the Board of Trustees of the City of Sonora to establish a Fire Department Fund and for other purposes.

Also, concurred in Senate Concurrent Resolution No. 29—Requesting the Governor to return Senate Bill No. 43 for correction of error in title.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
February 8th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the fifth day of February, passed Assembly Bill No. 268—An Act to authorize the Central Pacific Railroad Company to construct and maintain, until the first day of November, eighteen hundred and seventy-two, a temporary bridge without a draw across the Sacramento River at the place where the California and Oregon branch of the railroad of said company crosses said river, near the Town of Tehama, in the County of Tehama.

I am also directed to transmit to your honorable body the accompanying petitions.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 191, above reported, read first and second times and referred to the Sacramento delegation.

Assembly Bill No. 268, above reported, read first and second times and referred to the Tehama delegation.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Goodale—An Act to provide for deficiencies in the Funds of the school districts of Contra Costa County.

Read first and second times and referred to the Committee on Education.

By Mr. Maclay—An Act to authorize the Supervisors to submit to the qualified voters of Placer County the question of granting a subsidy.

Read first and second times and referred to the Placer delegation.

By Mr. Evans—An Act to furnish arms for the use of the military academies in the State.

Read first and second times and referred to the Committee on Military Affairs.

By Mr. O'Connor—An Act to more fully define the crime of larceny.

Read first and second times and referred to the Judiciary Committee.

MOTIONS, RESOLUTIONS, AND NOTICES.

Mr. Betge offered a concurrent resolution relative to instructing our Senators and requesting our Representatives in Congress, not to allow a reduction of the duty on chicory flour imported from foreign countries.

Read first and second times, and referred to the Committee on Federal Relations.

On motion of Mr. Tuttle, the President was requested to appoint a committee of conference on the disagreeing vote between the two Houses on Assembly Bill No. 53—An Act to distribute the revenue derived from the tax on dogs in Sonoma County—and the President subsequently appointed the committee on the part of the Senate, as follows:

Messrs. Tuttle, Pendegast, and Comte.

By Mr. Comte:

Resolved, That E. F. Boyle be and is hereby allowed his back pay as porter from the commencement of the session to the thirteenth of December.

Referred to the Committee on Contingent Expenses.

GENERAL FILE.

Senate Bill No. 67—An Act to amend an Act to provide five competitive scholarships for the benefit of meritorious young men desirous of entering the State University.

Amended and passed on file, subsequently taken up, further amended, read a third time and passed.

Assembly Bill No. 149—An Act to regulate proceedings in civil cases in the Justices' Court of the City and County of San Francisco.

Read a third time and passed.

Assembly Bill No. 209—An Act to legalize, ratify, and confirm certain acts of the Mayor and Common Council of the City of Los Angeles.

Read a third time and passed.

Assembly Bill No. 15—An Act in relation to sales and conveyances made by the Garden Land Homestead Association.

Read a third time and passed.

Assembly Bill No. 74—An Act to amend an Act entitled an Act to provide for the official valuation of life insurance policies, approved April fourth, eighteen hundred and seventy.

Read a third time and passed.

Assembly Bill No. 150—An Act to amend an Act entitled an Act to

regulate fees in the City and County of San Francisco, approved February ninth, eighteen hundred and sixty-six.

Read a third time and passed.

Substitute for Assembly Bill No. 184—An Act to provide for the opening and improvement of Santa Clara Avenue, in the County of Santa Clara.

Amended and read a third time and passed.

Assembly Bill No. 155—An Act to amend the charter of the City of Los Angeles.

Amended and read a third time and passed.

Senate Bills Nos. 110 and 214, passed on the file.

LEAVE OF ABSENCE.

Mr. Pendegast was granted leave of absence for one day.

GENERAL FILE RESUMED.

Assembly Bill No. 242—An Act authorizing the Trustees of Santa Barbara School Districts, of the County of Santa Barbara, of this State, to issue bonds of the said districts for the sum of six thousand dollars.

Read a third time and passed.

Senate Bill No. 126—An Act in relation to Coroners.

Amendment adopted, and bill ordered engrossed.

Senate Bill No. 123—An Act to repay the Sacramento Light Artillery Company certain moneys necessarily or properly expended by it to maintain its efficiency as one of the military arms of the State.

Report of the committee that the bill do not pass, adopted.

Senate Bill No. 45—An Act entitled an Act to regulate and provide for the maintenance and support of the San Francisco Labor and Employment Exchange.

Withdrawn by its author, by unanimous consent of the Senate.

Senate Bill No. 141—An Act for the relief of Jonas Spect.

Withdrawn by its author, by unanimous consent of the Senate.

Senate Bill No. 174—An Act for the relief of Michael Connill.

Substitute adopted, rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 225—An Act amendatory of an Act for the protection of game.

Rules suspended, bill considered engrossed, read a third time and passed.

REPORT.

Mr. Banvard, by leave, submitted a report as follows:

Mr. PRESIDENT: Your Committee on Mileage, to whom was referred resolution for pay of mileage of members of Committee on Public Buildings, report that they have had under consideration said resolution and recommend its passage.

BANVARD, Chairman.

The resolution above reported was adopted.

Mr. Tuttle, by leave, verbally reported from the Committee on Educa-

tion Substitute for Senate Bill No. 108, recommending the adoption of the substitute.

SPECIAL ORDER.

Senate Concurrent Resolution No. 23—Relative to requesting Congress to appropriate public lands of the United States for educational purposes.

Mr. Irwin offered an amendment.

Amendment adopted. Ordered engrossed.

RESOLUTION.

Mr. Boggs offered a resolution as follows:

Resolved, That when the Senate adjourns to-day, it adjourn to meet at twelve o'clock M., on Saturday, the tenth instant.

On the adoption of the resolution the ayes and noes were demanded by Messrs. Larkin, Tuttle, and Wand, and the resolution was adopted by the following vote:

AYES—Messrs. Andross, Banvard, Beck, Betge, Boggs, Comte, Dyer, Evans, Farley, Finney, Hutchings, Irwin, Keys, Maclay, McCoy, McKusick, Oulton, Van Ness and Wing—19.

NOES—Messrs. Boucher, Crane, De Haven, Garratt, Goodale, Larkin, McMurry, Minis, Neff, O'Connor, Perkins, Tompkins, Turner, Tuttle, Wand, and Wilson—16.

On motion of Mr. Beck, the resolution previously adopted to-day, allowing the Committee on Public Buildings and Grounds mileage while on committee duty, was reconsidered, and amended to read, "Payable out of the Contingent Fund of the Senate," and adopted as amended.

On motion of Mr. Larkin, Senate Bill No. 108 was referred to the Yolo delegation.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
February 8th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the sixth day of February, passed Assembly Bill No. 200—An Act defining the duties of the State Board of Equalization, and other revenue officers.

Also, on the same day, passed Assembly Bill No. 239—An Act for the relief of purchasers of State lands.

Also, on the eighth day of February, passed Senate Bill No. 143—An Act to authorize the Board of Supervisors of Colusa County to levy a special tax.

Also, on the same day, passed Senate Bill No. 151—An Act to empower the Probate Court of the County of Santa Clara to rectify an alleged error in the matter of the estate of James Donahue.

Also, on the same day, passed Senate Bill No. 194—An Act to provide for the location, construction, and maintenance of public roads and highways in the County of Placer.

Also, on this day, passed Senate Bill No. 221—An Act to establish a Penal Code.

DIXON, Assistant Clerk.

CONSIDERATION OF THE MESSAGE.

Senate Bill No. 137, heretofore reported from the Assembly as amended, was taken up.

The Senate concurred in the Assembly amendment to the bill.

Assembly Bill No. 200, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 239, above reported, read first and second times and referred to the Committee on Swamp and Overflowed Lands.

Mr. Evans offered a resolution as follows:

Resolved, That the rules of the Senate be suspended, and that the Committee on Enrolled Bills be and they are hereby authorized to report the bill known as the Penal Code, as it now stands recorded in the book at the desk, as correctly enrolled, and to present the same to the Governor for his approval.

Adopted.

At three o'clock and fifteen minutes P. M., on motion of Mr. Wand, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Saturday, February 10th, 1872.

Senate met pursuant to adjournment.
President pro tem in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of Thursday last read and approved.

LEAVE OF ABSENCE.

Messrs. Neff, Tompkins, Perkins, Tuttle, Maclay, and Evans were each granted leave of absence for one day.

PETITIONS.

Petitions were presented as follows:

By Mr. Pendegast—From citizens and taxpayers of Napa County in relation to an Act to provide for a road tax in that county.

Referred to the Napa delegation.

By Mr. Van Ness—From citizens of Cambria, San Luis Obispo County, king that said county may be excluded from the operations of the No- nce Law, in case such a law is passed.

Referred to the Committee on Agriculture.

By Mr. Farley—From citizens and taxpayers of Amador County, in vor of the passage of Assembly Bill No. 171—An Act to pay James rrol his unpaid salary as Supervisor of Amador County.

Referred to the Amador delegation.

REPORTS OF STANDING COMMITTEES.

By Mr. Larkin:

Mr. President: The Committee on State and County Revenue, having ly considered Senate Bill No. 103—An Act to provide for the assess- nt of encumbered real estate, report the same back and recommend t it be referred to the Judiciary Committee.

Also, Senate Bill No. 9—An Act to repeal an Act entitled an Act to pre- nt double taxation, approved April first, eighteen hundred and seventy, port it back with a substitute, and recommend the passage of the sub- tute.

Have also considered Senate Bill No. 203—An Act fixing the com- nsation of the Treasurer and Assessor of Humboldt County.

Also, Senate Bill No. 158—An Act to amend an Act entitled an Act to thorize the issue of bonds by the County of San Diego to build county ildings, approved March twenty-ninth, eighteen hundred and seventy.

Also, Senate Bill No. 202—An Act to amend an Act entitled an Act to ovide for the manner of auditing claims against Humboldt County, d to provide for the reduction of taxation therein.

Also, Assembly Bill No. 144—An Act amendatory of an Act to regu- e fees in office, approved March twenty-eighth, eighteen hundred and ty-eight.

Also, Assembly Bill No. 82—An Act to amend an Act entitled an Act regulate fees of office and salaries of certain officers, and to repeal rtain other Acts relative thereto, approved March fifth, eighteen ndred and seventy.

Report the same back and recommend the passage of said bills.

Also, have considered Senate Bill No. 146—An Act to amend an Act titled an Act to provide revenue for the support of the government of s State, approved May seventeenth, eighteen hundred and sixty-one— port the bill back and recommend that it do not pass.

LARKIN, Chairman.

By Mr. McMurry:

Mr. President: The Committee on Contingent Expenses having amined and found correct the following account, beg leave to report e same and recommend the adoption of the accompanying resolution:

To whom due.	Amount.
Wm. O'Brien, carrying mail one month	$ 40 00
A. Dennery & Co., tumblers	6 00
Patrick O'Keefe, bringing safe to chamber	25 00
John Breuner, furniture and repairs	201 00
J. J. Cass, locks, keys, bolts, repairs, etc	194 75
Edwards & Co., paper	70 00
Union Wood and Coal Yard, coal	13 50
David Bush, chandelier, gas fixtures, etc	70 48

Resolved, That the Controller of State be and he is hereby authorized and directed to draw his warrants on the Contingent Fund of the Senate as follows:

In favor of Wm. O'Brien, for forty dollars;

In favor of A. Dennery & Co., for six dollars;

In favor of Patrick O'Keefe, for twenty-five dollars;

In favor of John Breuner, for two hundred and one dollars;

In favor of J. J. Cass, for one hundred and ninety-four dollars and seventy-five cents;

In favor of Edwards & Co., for seventy dollars;

In favor of Union Wood and Coal Yard, for thirteen dollars and fifty cents;

In favor of David Bush, for seventy dollars and forty-eight cents.

McMURRY, Chairman.

By Mr. Banvard:

Mr. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 218—An Act making appropriation for deficiencies—have had the same under consideration, and report it back with an amendment, and recommend its passage as amended.

BANVARD, Chairman.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 8th, 1872.

To the Senate of the State of California:

I herewith return to your honorable body, in accordance with resolution of February seventh, Senate Bill No. 34—An Act to amend an Act entitled an Act to define the duties and liabilities of pawnbrokers and pledgees, approved April fifteenth, eighteen hundred and sixty one.

NEWTON BOOTH, Governor.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
February 10th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the eighth day of February, passed Substitute Assembly Bill No. 234—An Act to regulate the interest of money.

Also, passed Assembly Bill No. 229—An Act to fix the bonds of the Sheriff of Contra Costa County.

Also, passed Assembly Bill No. 241—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Also, adopted and passed Assembly substitute for Senate Bill No. 27—An Act to prevent the capture and destruction of mocking birds and linnets in this State.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Substitute for Assembly Bill No. 234, above reported, read first and second times and referred to the Committee on Finance.

Assembly Bill No. 229, above reported, read first and second times and referred to the Contra Costa delegation.

Assembly Bill No. 241, above reported, read first and second times and referred to the Judiciary Committee.

Assembly substitute for Senate Bill No. 27, above reported, read first and second times, rules suspended, substitute adopted, read third time and passed, by unanimous consent.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Boggs—An Act to amend an Act entitled an Act to incorporate the Town of Colusa, approved April fourth, eighteen hundred and seventy.

Read first and second times and referred to the Committee on Corporations.

By Mr. Larkin—An Act to provide for a system of common schools.

Read first and second times and referred to the committee, and on motion of Mr. Larkin, one thousand copies of the bill ordered printed.

By Mr. Minis (by request)—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands.

By Mr. Farley—An Act to amend an Act entitled an Act relating to criminal proceedings, approved April second, eighteen hundred and sixty-six.

Read first and second times and referred to the Judiciary Committee.

By Mr. Pendegast—An Act to provide for a special road tax in Napa County.

Read first and second times and referred to the Napa delegation.

MOTIONS.

On motion of Mr. Garratt, the Enrolling Clerk was directed to make a correction in Senate Bill No. 34, returned by the Governor by request, so as to make certain words in the enrolled bill conform to the original copy.

LEAVE OF ABSENCE.

The Committee on Hospitals was granted indefinite leave of absence.

On motion of Mr. Garratt, at twelve o'clock and forty minutes P. M., the Senate adjourned, to meet again at half past two o'clock P. M., on Monday, the twelfth instant.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Monday, February 12th, 1872.

Senate met pursuant to adjournment.

President in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of Saturday, February tenth, eighteen hundred and seventy-two, read and approved.

LEAVE OF ABSENCE.

Mr. Fowler was granted leave of absence for one day.

PETITIONS.

Petitions were presented as follows:

By Mr. Oulton—From citizens of Alpine County, against the removal of the county seat of said county.

Referred to the Amador and Alpine delegation.

By Mr. Maclay—From citizens of Alameda, Santa Clara, and San Francisco Counties—Relative to the encouragement of silk culture in this State.

Read and referred to the Committee on Agriculture.

By Mr. Crane—From citizens of Yuba County, for the passage of a Trespass Law for said county; also, a remonstrance from citizens of Yuba County, against the passage of a Trespass Law for said county.

Referred to the Committee on Agriculture.

By Mr. Neff—From citizens of Placer County, against the passage of a Trespass Law for said county.
Referred to the Committee on Agriculture.

COMMUNICATION.

The President of the Senate presented the following communication:

OFFICE OF THE BOARD OF CITY HALL COMMISSIONERS,
San Francisco, February 7th, 1872.

To the Honorable the President and the members of the Senate of the State of California:

GENTLEMEN: The Board of City Hall Commissioners having fixed upon twenty-second February instant, to lay the corner stone of the new City Hall and Law Courts of San Francisco, have the honor to invite your honorable body to participate in the ceremonies on that occasion.

The ceremonies will be conducted by the Grand Lodge of Free and Accepted Masons of California.

We have the honor to be, gentlemen, yours respectfully,

P. H. CANAVAN,
Chairman of the Board of City Hall Commissioners.

REPORTS OF STANDING COMMITTEES.

Reports were made as follows:

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 225—An Act amendatory of an Act for the protection of game, passed May fifteenth, eighteen hundred and fifty-four.

Also, Senate Bill No. 174—An Act for the relief of Michael Conniff.

Also, Senate Bill No. 196—An Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, passed May seventeenth, eighteen hundred and sixty-one.

Also, Senate Concurrent Resolution No. 23—Relative to requesting Congress to appropriate public lands of the United States for educational purposes.

NEFF, for Committee.

By Mr. Hutchings:

Mr. PRESIDENT: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 176—An Act to provide Road Funds for the Counties of Santa Barbara and San Luis Obispo.

Also, Senate Joint Resolution No. 4—Relative to arms issued to the State of California by the United States Government.

Also, Senate Bill No. 110—An Act to provide for the payment of the claim of Isador Wormser against the State of California.

Also, Senate Bill No. 32—An Act making appropriation for the payment of William Sharp's bill of carpets, matting, etc., for the new Capitol.

Also, Senate Bill No. 105—An Act authorizing a telegraph between Los Angeles and Wilmington, in Los Angeles County.

Also, Senate Bill No. 162—An Act to amend an Act entitled an Act to provide means for the government of the County of Santa Cruz, and for the payment and funding of the debt of said county, approved January thirty-first, eighteen hundred and seventy.

Also, Senate Bill No. 208—An Act to authorize the Board of Trustees of the City of Sonora to establish a Fire Department Fund, and for other purposes.

Also, Senate Bill No. 87—An Act to amend an Act entitled an Act to provide for the formation of corporations for the accumulation and investment of funds and savings, approved April eleventh, eighteen hundred and sixty-two.

And have presented the same to the Governor for his signature at two o'clock and forty-five minutes P. M.

Also, have examined and find Senate Bill No. 72 corrected in accordance with Senate Concurrent Resolution No. 28, and have presented the same to the Governor for his signature at two o'clock and forty-five minutes P. M.

Also, in accordance with a resolution of the Senate, report back as correctly enrolled Senate Bill No. 221—An Act known as the Penal Code, and presented the same to the Governor for his signature at twelve o'clock and thirty-five minutes P. M.

HUTCHINGS, Chairman.

PETITION.

Mr. Tompkins had leave to present a petition from the Mechanics' Institute for the continuance of the geological survey.

Referred to the Finance Committee.

REPORTS OF SPECIAL COMMITTEES.

The following reports were made:

By Mr. Betge:

Mr. PRESIDENT: The Committee on Contingent Expenses having had under consideration Senate Concurrent Resolution—To pay the expenses of the Japanese Embassy—report the same back and recommend its passage.

BETGE,
DYER,
DUFFY,
Majority of the Committee.

By Mr. Pendegast:

Mr. PRESIDENT: The Mendocino delegation have had under consideration Assembly Bill No. 111, and report the same back and respectfully recommend its passage.

PENDEGAST, for Delegation.

On motion of Mr. Pendegast, the rules were suspended for the consideration of Assembly Bill No. 111, above reported.

The rules were further suspended, bill read a third time and passed.

Mr. Wand verbally reported Senate Bill No. 73, and recommended its passage.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 9th, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 120—An Act for the relief of James F. Burns.

Also, Senate Bill No. 82—An Act to provide for indexing the names of persons who have declared their intention to become or who have become citizens of the United States in the several Courts of record in this State.

Also, Senate Bill No. 177—An Act to provide for the transfer of the moneys and other assets in the Permanent School Fund of Siskiyou County to the General School Fund of said county.

Also, Senate Bill No. 90—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one.

Also, Senate Bill No. 85—An Act concerning the attendance of physicians and surgeons in certain cases, and to provide payment for making chemical and post-mortem examinations.

Also, Senate Bill No. 127—An Act to provide for the payment of deficiency in the State Insane Asylum appropriation for the twenty-third fiscal year, ending June thirtieth, eighteen hundred and seventy-two.

NEWTON BOOTH, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 12th, 1872.

To the Senate of the State of California:

I herewith return to your honorable body, in accordance with your request, Senate Bill No. 43—An Act amendatory of and supplementary to an Act entitled an Act to prescribe the jurisdiction of the Police Court of the City and County of San Francisco, passed January twenty-seventh, eighteen hundred and sixty-four—for the purpose of correcting a clerical error.

NEWTON BOOTH, Governor.

RESOLUTION.

Mr. Oulton had leave to introduce a concurrent resolution relative to authorizing the Enrolling Clerk of the Senate to correct an error in the title of Senate Bill No. 43, by inserting the word "Judge's" between the words "Police" and "Court."

Rules suspended and resolution adopted.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Neff—An Act to inaugurate the production of iron and steel in California.

Read first and second times and referred to the Finance Committee, and ordered printed.

By Mr. Wand—An Act for the correction of errors and omissions in the official proceedings relative to certain contracts for street work in the City and County of San Francisco.

Read first and second times and ordered on file.

By Mr. De Haven—An Act to provide for the care of indigent sick in Del Norte County.

Read first and second times and ordered on file.

Also, an Act to amend an Act entitled an Act to authorize the incorporation of canal companies and the construction of canals, approved May fourteenth, eighteen hundred and sixty-two.

Read first and second times and referred to the Committee on Corporations.

By Mr. Wilson—An Act amendatory of and supplemental to an Act entitled an Act to prevent hunting and shooting on private grounds in the Counties of Alameda and San Mateo, approved March twenty-first, eighteen hundred and seventy.

Read first and second times and referred to the Committee on Agriculture.

By Mr. Betge—An Act to create the office and define the duties of the State Board of Forest Commissioners and to encourage the culture of forest and timber trees.

Read first and second times and referred to the Committee on Agriculture.

By Mr. Comte—An Act to amend an Act entitled an Act concerning the revenue, approved March twenty-fifth, eighteen hundred and seventy.

Read first and second times and referred to the Judiciary Committee.

Also, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one.

Read first and second times and referred to the Judiciary Committee.

By Mr. Minis—An Act in relation to gaming.

Read first and second times and referred to Committee on Public Morals, and ordered printed.

GENERAL FILE.

Senate Bill No. 178—An Act to separate the office of County Recorder from that of County Clerk in the County of Yolo, and to provide for the election of a County Recorder therein.

Read a third time and passed.

On motion of Mr. Farley, Assembly Bill No. 2—An Act to repeal an Act entitled an Act authorizing the publication of certain legal notices in a State paper printed at the seat of government of the State of California, approved March twenty-ninth, eighteen hundred and seventy; and Assembly Bill No. 5—An Act to repeal an Act entitled an Act to protect litigants, approved March twenty-ninth, eighteen hundred and

seventy—were made the special order for Wednesday next at twelve o'clock M.

Assembly Bill No. 208—An Act to provide for the support of schools in certain districts in Tehama County.

Passed on file.

Assembly Bill No. 104—An Act to increase the revenue of the School Fund.

Report of committee adopted, recommending that the bill do not pass.

Assembly Bill No. 110—An Act to amend an Act entitled an Act concerning roads and highways in the County of Mendocino, approved March, eighteen hundred and sixty-eight.

Read a third time and passed.

Senate Bill No. 210—An Act to establish a college at Santa Rosa, Sonoma County, California.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 76—An Act to provide a State Armory.

Laid on the table.

Senate Bill No. 214—An Act to amend an Act entitled an Act to raise a Fund for the improvement of Napa City.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 216—An Act to provide for entering judgment by confession on promissory notes and other instruments of writing.

Indefinitely postponed.

Senate Concurrent Resolution No. 30—Relative to payment of expenses of Japanese Embassy reception.

Passed on file.

Assembly Concurrent Resolution No. 18—Relative to printing certain reports.

Report of committee, recommending that the resolution do not pass, was adopted.

Senate Bill No. 9—An Act to repeal an Act entitled an Act to prevent double taxation, approved April first, eighteen hundred and seventy.

Also, Senate Bill No. 103—An Act to provide for the assessment of encumbered real estate.

And all other bills relative to that subject, were made the special order for February twentieth, eighteen hundred and seventy-two, at one o'clock P. M.

Senate Bill No. 146—An Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one.

Report of committee, recommending that the bill do not pass, was adopted.

Senate Bill No. 202—An Act to amend an Act entitled an Act to provide for the manner of auditing claims against Humboldt County, and to provide for the reduction, etc.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 158—An Act to amend an Act entitled an Act to authorize the issue of bonds by the County of San Diego to erect county buildings, approved March twenty-ninth, eighteen hundred and seventy.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 218—An Act making appropriations for deficiencies.

Ordered engrossed.

Senate Bill No. 203—An Act fixing the compensation of the Treasurer and Assessor of Humboldt County.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Resolution—Relative to payment of certain bill and accounts.

Adopted.

Assembly Bill No. 82—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Passed on file.

Assembly Bill No. 144—An Act amendatory of an Act to regulate fees of office, approved March twenty-eighth, eighteen hundred and sixty-eight.

Rules suspended, bill considered engrossed, read a third time and passed.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
February 12th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the eighth day of February, passed substitute for Assembly Bill No. 160—An Act to protect agriculture and to prevent the trespassing of animals upon private property in the Counties of Los Angeles and San Diego.

Also, on the tenth day of February, passed substitute for Assembly Bill No. 202—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Also, on the same day, passed Senate Bill No. 41—An Act for the relief of James M. Kane.

Also, on the same day, passed Senate Bill No. 107—An Act to reincorporate the Town of San Luis Obispo.

Also, on the same day, passed Assembly Bill No. 135—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Also, on the sixth day of February, passed Assembly Joint Resolution No. 17—Instructing our Senators and requesting our Representatives in Congress to urge the establishment of a tri-weekly mail from Cache Creek, in Yolo County, to Capay, Yolo County.

Also, on the same day, passed Assembly Bill No. 101—An Act to provide for the location, construction, and maintenance of public roads in the County of Calaveras.

Also, passed Assembly Bill No. 283—An Act concerning the payment of the fees and salaries of officers in the Counties of Yolo and Sutter.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 160, above reported, read first and second times and referred to the Committee on Agriculture.

Substitute for Assembly Bill No. 202, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 135, above reported, read first and second times and referred to the Committee on State and County Revenue.

Assembly Bill No. 101, above reported, read first and second times and referred to the Calaveras delegation.

Assembly Bill No. 283, above reported, read first and second times and referred to the Yolo delegation.

Assembly Joint Resolution No. 17, above reported, read first and second times, rules suspended, resolution read a third time and adopted.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
February 12th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twelfth day of February, eighteen hundred and seventy-two, concurred in Senate Concurrent Resolution No. 31—Relative to return of Senate Bill No. 43, for correction.

DIXON, Assistant Clerk.

At four o'clock and fifteen minutes P. M., on motion of Mr. Larkin, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Tuesday, February 13th, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

REMONSTRANCE.

By Mr. Pendegast:

From the Board of Supervisors of Alameda County against the removal of the county seat of said county.

Referred to the Committee on County and County Boundaries.

Reports were made as follows:

By Mr. Perkins:

Mr. PRESIDENT: The Committee on Claims have had under consideration Senate Bill No. 95—An Act for the relief of Jared C. Brown, of the City and County of San Francisco—as there is not sufficient evidence to show that the claim has not already been allowed and included in certain Indian War Bonds issued by the State, we recommend the bill do not pass.

The committee have also considered Senate Bill No. 134—An Act to appropriate money to pay the services rendered the State by D. W. Murphy—and recommend that it do not pass, as the amount claimed for services has been paid by the State, and included in the funded indebtedness.

Also, Senate Bill No. 142—An Act for the relief of the Sarsfield Grenadier Guard of the City of Sacramento—and recommend it do not pass.

Also, Senate Bill No. 160—An Act to pay the expenses necessarily incurred in suppressing Indian hostilities in the Counties of Humboldt and Trinity in the years eighteen hundred and sixty-eight and eighteen hundred and sixty-nine—and recommend its passage.

Also, Senate Bill No 201—An Act to provide for the payment of certain coupons upon bonds of the State of California that have been lost—report the same back with the recommendation that it be passed.

Also, Senate Bill No. 153—An Act to compensate Curtis H. Lindley for services rendered the Revision Commission—respectfully report the same back with a substitute, and recommend the passage of the substitute.

Also, Senate Bill No. 222—An Act to pay for services rendered in the State Armory—respectfully report it back and recommend it do not pass, for the reason the claim will be provided for in the appropriation asked by the Adjutant General to liquidate this and other indebtedness incurred by him in the discharge of his duties.

PERKINS, Chairman.

By Mr. Wilson:

Mr. PRESIDENT: Your Committee on Agriculture, to whom was referred Senate Bill No. 170—An Act for the encouragement of agriculture and other industries—have had the same under consideration, and report said bill back, with a recommendation that it be amended by adding after the word "Society," at the end of the twenty-first line of section one, the words "and the California Vinegrowers' and Wine and Brandy Manufacturers' Association," and that it pass as amended.

WILSON, Chairman.

Mr. PRESIDENT: Your Committee on Agriculture, to whom was referred Senate Bill No. 140—An Act to amend an Act for the protection of game—beg leave to report the same back and recommend its passage as amended by the Senate.

Your committee have also considered Senate Bill No. 241—An Act

amendatory of and supplemental to an Act to prevent hunting and shooting on private grounds in the Counties of Alameda and San Mateo—and report the same back, with a recommendation that it be amended by adding after the words "Los Angeles," in section one of said Act, the words "and Nevada," and that the bill pass as so amended.

Your committee have also duly considered Senate Bills Nos. 195 and 197—each entitled an Act to amend an Act to restrict the herding of sheep, approved May eighteenth, eighteen hundred and sixty-one—and report the same back without recommendation to the Committee of the Whole.

All of which is respectfully submitted.

WILSON, Chairman.

By Mr. Hutchings:

Mr. PRESIDENT: Your Committee on Enrollment most respectfully report that they have examined and find correctly enrolled Senate Bill No. 151—An Act to empower the Probate Court of the County of Santa Clara to rectify an alleged error in the matter of the estate of James Donahue.

Also, Senate Bill No. 143—An Act to authorize the Board of Supervisors of Colusa County to levy a special tax.

Also, Senate Bill No. 137—An Act to prevent the destruction of forests by fire on public lands.

And have presented the same to the Governor for his signature at eleven o'clock and twenty minutes A. M.

HUTCHINGS, Chairman.

PETITION.

Mr. Tompkins presented a petition from citizens of Kern County for the passage of a Trespass Law for said county.

Referred to the Committee on Agriculture.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Larkin—An Act to amend an Act entitled an Act to regulate fees and salaries of officers and defining their duties, in the County of El Dorado, and other matters relating thereto, approved March fifth, eighteen hundred and seventy.

Read first and second times and referred to the Judiciary Committee.

Also, An Act to amend an Act entitled an Act to regulate fees and salaries of officers, and defining their duties, in the County of El Dorado, and other matters relating thereto, approved March fifth, eighteen hundred and seventy.

Read first and second times and referred to the Judiciary Committee.

By Mr. O'Connor—An Act amendatory of an Act entitled an Act to reduce and establish the salaries and pay of members of the Legislature, approved April twenty-first, eighteen hundred and fifty-six—approved April fourth, eighteen hundred and sixty-four.

Read first and second times and referred to Committee on Mileage.

By Mr. Pendegast—An Act entitled an Act to define the Senatorial and Assembly Districts of this State, and to apportion the representation thereof.

Read first and second times and referred to Committee on Counties and County Boundaries.

GENERAL FILE.

Senate Bill No. 196—An Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, passed May seventeenth, eighteen hundred and seventy-one, approved March thirty-first, eighteen hundred and sixty-six.

Read a third time and passed.

Senate Concurrent Resolution No. 23—Relative to requesting Congress to appropriate public lands of the United States for educational purposes.

Mr. Farley moved to recommit the resolution to the Committee on Education, with special instructions to strike out the preamble.

Lost.

The resolution was read a third time and adopted.

Assembly Bill No. 82—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Laid on the table.

Assembly Bill No. 208—An Act to provide for the support of schools in certain districts in Tehama County.

Read a third time and passed.

Senate Bill No. 75—An Act fixing the compensation of Sheriffs of the several counties of this State in certain cases.

Considered in Committee of the Whole, and amended by striking out twenty five cents wherever the same appears in the bill and inserting in lieu thereof thirty cents.

IN SENATE.

On motion of Mr. Irwin, the bill was passed on file for one day.

GENERAL FILE RESUMED.

Senate Bill No. 238—An Act for the correction of errors and omissions in the official proceedings relative to certain contracts for street work in the City and County of San Francisco.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 259—An Act to provide for the care of the indigent sick of Del Norte County.

Ordered engrossed.

Senate Concurrent Resolution No. 30—Relative to payment of expenses of Japanese Embassy reception.

Upon the adoption of the resolution the ayes and noes were demanded by Messrs. Larkin, McMurry, and Tuttle, and the Senate so ordered by the following vote:

AYES—Messrs. Andross, Banvard, Beck, Betge, Conte, Duffy, Dyer, Finney, Garvey, Irwin, Kent, Mackey, McCoy, Oulton, Pendegast, Perkins, Tompkins, Turner, Van Ness, Wilson, and Wing—21.

NOES—Messrs. Boucher, Crane, De Haven, Farley, Fowler, Hutchings, Larkin, McKusick, McMurry, Mims, Neff, O'Connor, Tuttle, and Wand—14.

INTRODUCTION OF A BILL.

Mr. Tuttle had leave to introduce the following bill:
An Act to reincorporate the Town of Santa Rosa
Read first and second times and referred to the Sonoma delegation.

REPORT.

Mr. Minis verbally reported substitute for Senate Bill No. 108, with the recommendation that the same pass.

On motion of Mr. Minis, the rules were suspended for the consideration of the bill above reported. The rules were further suspended, substitute adopted, bill considered engrossed, read a third time and passed.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
February 13th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the sixth day of February, passed Assembly Bill No. 270—An Act for the protection of fish in the waters of Butte Creek, in the County of Butte.

Also, on same day, passed Assembly Bill No. 286—An Act supplemental to and amendatory of an Act entitled an Act to incorporate the Town of Chico, Butte County, California, approved January —, eighteen hundred and seventy-two.

And on this thirteenth day of February amended and passed Senate Bill No. 74—An Act to legalize certain payments of money on account of the purchase of State school lands.

Also, on this thirteenth day of February, passed the following bills: Senate Bill No. 48—An Act prescribing certain duties to be performed by the State Controller, State Treasurer, and the State Board of Examiners.

Also, Senate Bill No. 163—An Act for the relief of S. R. D. Sturgeon, late District Attorney of Santa Barbara County.

Also, Senate Bill No. 136—Concerning roads in the Counties of Santa Barbara and San Luis Obispo.

Also, Assembly Bill No. 17—An Act to create the Eighteenth Judicial District, and for other purposes.

Also, Assembly Bill No. 273—An Act authorizing the Secretary of State to furnish the Counties of Alpine, Inyo, Kern, Lake, and Sutter with certain volumes of the California Supreme Court Reports.

Also, on the twelfth day of February, eighteen hundred and seventy-two, passed Senate Bill No. 121—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 270, above reported, read first and second times and ordered filed.

Assembly Bill No. 286, above reported, read first and second times and referred to Committee on Corporations.

Senate Bill No. 74, above reported, amendment reported from the Assembly concurred in by the Senate.

Assembly Bill No. 17, above reported, read first and second times and referred to the San Diego and San Bernardino delegations.

Assembly Bill No. 275, above reported, read first and second times and referred to the Judiciary Committee.

At three o'clock and thirty-five minutes, P. M., on motion of Mr. Oulton, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Wednesday, February 14th, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

PETITION.

Mr. Tompkins presented a petition from citizens of Kern County for the passage of a Trespass Law.

Referred to the Committee on Agriculture.

REPORTS.

The following reports were made:

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 126—An Act in relation to Coroners.

Also, Senate Bill No. 210—An Act to establish a college at Santa Rosa, Sonoma County, California.

Also, Senate Bill No. 158—An Act to amend an Act entitled an Act to authorize the issue of bonds by the County of San Diego to erect county buildings, approved March twenty-ninth, eighteen hundred and seventy.

Also, Senate Bill No. 218—An Act making appropriations for deficiencies.

Also, Senate Bill No. 203—An Act fixing the compensation of the Treasurer and Assessor of Humboldt County.

NEFF, for Committee.

By Mr. Maclay:

Mr. President: Your committee to whom was referred Senate Bill No. 212—An Act to incorporate the Town of Alameda—had the same under consideration, and report the same back with amendments, recommending the adoption of the amendments and the passage of the bill as amended.

Also, have had under consideration Assembly Bill No. 253—An Act to amend an Act entitled an Act to incorporate the Town of Watsonville, Santa Cruz County, California—report the same back, and recommend the passage of the bill.

Also, have had under consideration Senate Bill No. 232—An Act to amend an Act entitled an Act to incorporate the Town of Colusa—report the same back with amendments, recommending the adoption of the amendments and the passage of the bill as amended.

Also, have had under consideration Senate Concurrent Resolution No. 7—Creating port of entry—report the same back, with the recommendation that it be referred to the Committee on Commerce and Navigation.

MACLAY, Chairman.

On motion of Mr. Oulton, Senate Concurrent Resolution No. 7, above reported, was referred to the Committee on Commerce and Navigation.

By Mr. Van Ness:

Mr. President: Your Committee on Federal Relations, to whom was referred Senate Resolution No. 5—Relative to instructing our Senators and requesting our Representatives in Congress not to allow a reduction of the duty on chiccory flour imported from foreign countries, etc.—have had the same under consideration and recommend its passage.

VAN NESS, Chairman.

On motion of Mr. Betge, the rules were suspended for the consideration of Senate Joint Resolution No. 5, above reported.

Upon reading the resolution a third time, the ayes and noes were demanded by Messrs. Larkin, McMurry, and Betge, and the Senate so ordered by the following vote:

Ayes.—Messrs. Andross, Beck, Betge, Boucher, Crane, Duffy, Dyer, Evans, Farley, Finney, Garratt, Goodale, Gwin, Kent, Keys, Maclay, McCoy, McKusick, Neff, Oulton, Perkins, Turner, Van Ness, Wand, Wilson, and Wing—26.

Noes.—Messrs. Banvard, Boggs, Comte, Fowler, Hutchings, Irwin, Larkin, McMurry, Minis, O'Connor, Pendegast, Tompkins, Tuttle, and Wing—14.

The resolution was read a third time, and upon the adoption of

the resolution the ayes and noes were demanded by Messrs. Larkin, McMurry, and Maclay, and the Senate so ordered by the following vote:

AYES.—Messrs. Andross, Beck, Beige, Boucher, Crane, De Haven, Duffy, Dyer, Evans, Farley, Finney, Garratt, Goodale, Gwin, Irwin, Kent, Keys, Maclay, McCoy, McKusick, Neff, Oulton, Perkins, Turner, Van Ness, Wand, Wilson, and Wing—28.

NOES.—Messrs. Banvard, Boggs, Conte, Fowler, Hutchings, Larkin, McMurry, Minis, O'Connor, Pendegast, Tompkins, and Tuttle—12.

NOTICE.

Mr. Irwin gave notice that he would to-morrow move to reconsider the vote by which the above resolution was adopted.

REPORTS.

Further reports were made as follows:

By Mr. Hutchings:

Mr. PRESIDENT: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 41—An Act for the relief of James M. Kane.

Also, Senate Bill No. 27—An Act to prevent the capture and destruction of mocking birds in this State.

Also, Senate Bill No. 34—An Act to amend an Act entitled an Act to define the duties and liabilities of pawnbrokers and pledgees, approved April seventeenth, eighteen hundred and sixty-one.

And have presented the same to the Governor for his signature at eleven o'clock and twenty minutes A. M.

HUTCHINGS, Chairman.

By Mr. Evans:

Mr. PRESIDENT: Your Committee on Military Affairs, to whom was referred Senate Bill No. 230—An Act to furnish arms for the use of the military academies in the State—have duly considered the same, and unanimously report the bill back to the Senate and recommend its passage.

EVANS, for Committee.

On motion of Mr. Evans, the rules were suspended for the consideration of Senate Bill No. 230, above reported.

The rules were further suspended, bill considered engrossed, read a third time, and passed.

By Mr. Goodale:

Mr. PRESIDENT: The delegation to whom was referred Assembly Bill No. 229, respectfully report the bill back with an amendment, and recommend its passage as amended.

GOODALE, for Delegation.

By Mr. McCoy:

Mr. PRESIDENT: Your committee to whom was referred Assembly Bill

No. 17—An Act to create the Eighteenth Judicial District, and for other purposes—beg leave to report that they have carefully examined the same, and knowing the wants of the people of that district, respectfully recommend the passage of the bill.

McCOY,
WILSON,
Committee.

Mr. PRESIDENT: The San Francisco delegation have had the following bill under consideration, and report the same back as follows:

Senate Bill No. 166—An Act to provide for and regulate the sprinkling of the streets of the City and County of San Francisco.

Reported back with substitute and passage of the substitute recommended.

WAND, Chairman.

On motion of Mr. Wand, the rules were suspended for the consideration of Senate Bill No. 166, above reported.

The substitute reported by the delegation was adopted, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Irwin:

From Committee on Elections, in the matter of the contested election of Thomas Flint vs. Thomas Beck.

Reading of the report dispensed with and laid on the table.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 14th, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 152—An Act supplemental to and amendatory of an Act entitled an Act to authorize the construction of a swing or drawbridge across the San Antonio Creek, in the County of Alameda, approved April fourth, eighteen hundred and seventy.

Also, Senate Bill No. 42—An Act amendatory of and supplementary to an Act entitled an Act to prescribe the jurisdiction of the Police Judge's Court of the City and County of San Francisco, passed January twenty-seventh, eighteen hundred and sixty-four.

Also, Senate Bill No. 151—An Act to empower the Probate Court of the County of Santa Clara to rectify an alleged error in the matter of the estate of James Donahue.

Also, Senate Bill No. 176—An Act to provide Road Funds for the Counties of Santa Barbara and San Luis Obispo.

Also, Senate Bill No. 110—An Act to provide for the payment of the claim of Isador Wormser against the State of California.

Also, Senate Bill No. 32—An Act making appropriation for the payment of William Sharp's bill of carpets, matting, etc., for the new Capitol.

Also, Senate Bill No. 105—An Act authorizing a telegraph between Los Angeles and Wilmington, in Los Angeles County.

Also, Senate Bill No. 162—An Act to amend an Act entitled an Act to provide means for the government of the County of Santa Cruz and for the funding of the debt of said county, approved January thirty-first, eighteen hundred and seventy.

Also, Senate Bill No. 208—An Act entitled an Act to authorize the Board of Trustees of the City of Sonora to establish a Fire Department Fund and for other purposes.

Also, Senate Bill No. 72—An Act amendatory of an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May twentieth, eighteen hundred and sixty-one.

Also, Senate Bill No. 143—An Act to authorize the Board of Supervisors of Colusa County to levy a special tax,

Also, Senate Bill No. 137—An Act to prevent the destruction of forests by fire on public lands.

NEWTON BOOTH, Governor.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
February 14th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Speaker of the House of Assembly, on the thirteenth day of February, appointed Messrs. Wright, Henshaw, and Berry as a Committee of Conference on the part of the Assembly on the disagreeing vote of the two Houses on Assembly Bill No. 53—An Act to distribute the revenue derived from the tax on dogs in Sonoma County.

DIXON, Assistant Clerk.

REPORT.

Mr. Finney, from the Committee on Education, verbally reported substitute for Senate Bill No. 33, without recommendation, and on motion the substitute was ordered on file for Friday next.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Oulton—An Act to authorize an appropriation of money for the purpose of obtaining six paintings in oil, by Gideon J. Denny, of San Francisco, illustrative of events in and scenery of California, to be placed in the State Capitol.

Read first and second times and referred to the Committee on Public Buildings.

SPECIAL ORDER.

Assembly Bill No. 2—An Act to repeal an Act entitled an Act authorizing the publication of certain legal notices in a State paper printed at the seat of government of the State of California, approved March twenty-ninth, eighteen hundred and seventy.

And Assembly Bill No. 5—An Act to repeal an Act entitled an Act to protect litigants, approved March twenty-ninth, eighteen hundred and seventy.

Mr. Wand moved to postpone the consideration of the special order until Wednesday next, at twelve o'clock M., upon which the ayes and noes were demanded by Messrs. Farley, Evans, and Betge, and the Senate refused by the following vote:

AYES—Messrs. Banvard, Betge, Boggs, Farley, Irwin, Keys, Larkin, McCoy, McMurry, Minis, Tuttle, Van Ness, and Wand—13.

NOES—Messrs. Andross, Beck, Boucher, Comte, Crane, De Haven, Duffy, Dyer, Evans, Finney, Fowler, Garratt, Goodale, Hutchings, Kent, Maclay, McKusick, Neff, O'Connor, Oulton, Pendegast, Perkins, Tompkins, Turner, Wilson, and Wing—26.

CONSIDERATION OF SPECIAL ORDER RESUMED.

Senate resumed consideration of special order, as follows:

Assembly Bill No. 2—An Act to repeal an Act entitled an Act authorizing the publication of certain legal notices in a State paper printed at the seat of government of the State of California, approved March twenty-ninth, eighteen hundred and seventy.

Amendment reported by Judiciary Committee adopted.

Mr. Comte moved the indefinite postponement of the bill, upon which the ayes and noes were demanded by Messrs. Evans, Neff, and Finney, and the Senate indefinitely postponed the bill by the following vote:

AYES—Messrs. Andross, Banvard, Beck, Betge, Boggs, Comte, Farley, Fowler, Gwin, Hutchings, Irwin, Keys, Maclay, McCoy, O'Connor, Pendegast, Tompkins, Tuttle, Van Ness, Wand, and Wilson—21.

NOES—Messrs. Boucher, Crane, De Haven, Duffy, Dyer, Evans, Finney, Garratt, Goodale, Kent, Larkin, McKusick, McMurry, Minis, Neff, Oulton, Perkins, Turner, and Wing—19.

Mr. Maclay gave notice that he would on to-morrow move to reconsider the vote by which the Senate indefinitely postponed Assembly Bill No. 2.

Assembly Bill No. 5—An Act to repeal an Act entitled an Act to protect litigants, approved March twenty-ninth, eighteen hundred and seventy.

Amendment reported by the Judiciary Committee adopted.

Mr. Farley moved to indefinitely postpone the bill.

Upon which the ayes and noes were demanded by Messrs. Oulton, Evans, and Finney, and the Senate refused to indefinitely postpone by the following vote:

AYES—Messrs. Banvard, Betge, Comte, Farley, Keys, Minis, Tuttle, Van Ness, and Wand—9.

NOES—Messrs. Andross, Beck, Boggs, Boucher, Crane, De Haven, Duffy, Dyer, Evans, Finney, Fowler, Garratt, Goodale, Gwin, Hutchings, Kent, Larkin, Maclay, McCoy, McKusick, McMurry, Neff, O'Connor, Oulton, Pendegast, Perkins, Tompkins, Turner, Wilson, and Wing—30.

Mr. Farley offered the following amendment to the bill:

Provided, That this Act shall not take effect until the expiration of the term for which the several litigant papers were designated by the several District Judges of this State.

Upon the adoption of the amendment the ayes and noes were demanded by Messrs. Farley, Banvard, and Oulton, and the Senate refused by the following vote:

AYES—Messrs. Banvard, Betge, Comte, Farley, Minis, Tuttle, Van Ness, and Wand—8.

NOES—Messrs. Andross, Beck, Boggs, Boucher, Crane, De Haven, Duffy, Dyer, Evans, Finney, Fowler, Garratt, Goodale, Gwin, Hutchings, Kent, Keys, Larkin, Maclay, McCoy, McKusick, McMurry, Neff, O'Connor, Oulton, Pendegast, Perkins, Tompkins, Turner, Wilson, and Wing—31.

Mr. Wand offered the following amendment to the bill:

Amend section one by adding after the word "repealed," "this Act shall not apply to the City and County of San Francisco."

Upon the adoption of the amendment the ayes and noes were demanded by Messrs. Oulton, Evans, and Wand, and the Senate refused by the following vote:

AYES—Messrs. Banvard, Betge, Comte, Farley, Fowler, Gwin, Irwin, Larkin, McCoy, Minis, Pendegast, Tuttle, Van Ness, and Wand—14.

NOES—Messrs. Andross, Beck, Boucher, Crane, De Haven, Duffy, Dyer, Evans, Finney, Garratt, Goodale, Hutchings, Kent, Keys, Maclay, McKusick, Neff, O'Connor, Oulton, Perkins, Tompkins, Turner, Wilson, and Wing—24.

The bill was read a third time, and upon the passage of the bill, the ayes and noes were demanded by Messrs. Evans, Finney, and Maclay, and the bill was passed by the following vote:

AYES—Messrs. Andross, Beck, Boucher, Crane, De Haven, Duffy, Dyer, Evans, Finney, Fowler, Garratt, Goodale, Gwin, Hutchings, Kent, Larkin, Maclay, McCoy, McKusick, McMurry, Neff, O'Connor, Oulton, Pendegast, Perkins, Tompkins, Turner, Wilson, and Wing—29.

NOES—Messrs. Banvard, Betge, Comte, Farley, Keys, Minis, Tuttle, Van Ness, and Wand—9.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Comte:

An Act authorizing John Spriggs, an alien, to inherit the estate of his brother, Thomas Spriggs, deceased.

Read first and second times and referred to the Judiciary Committee.

By Mr. Larkin:

An Act to amend an Act entitled an Act to provide revenue for the

support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one.

Read first and second times and referred to the Committee on State and County Revenue.

By Mr. Perkins:

An Act to amend an Act entitled an Act to provide for the formation of corporations for certain purposes, approved April fourteenth, eighteen hundred and fifty-three.

Read first and second times and referred to the Committee on Corporations.

By Mr. Minis:

Joint Resolution—Relative to memorializing Congress in regard to the public lands of the State.

Read first and second times and referred to the Committee on Federal Relations, and ordered printed.

REPORTS.

Reports were made as follows:

Mr. Tuttle verbally reported a substitute for Assembly Bill No. 220, and recommended the passage of the substitute.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 166—An Act to provide for sprinkling the streets of San Francisco.

TUTTLE, for Committee.

At two o'clock and forty-five minutes P. M., on motion of Mr. O'Connor, the Senate adjourned.

J. T. FARLEY,
President pro tem.

ROBERT FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Thursday, February 15th, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

RECONSIDERATION.

Pursuant to notice, Mr. Maclay moved to reconsider the vote by which the Senate on yesterday ordered to a third reading Assembly Bill No. 2—An Act to repeal an Act entitled an Act authorizing the publication of certain legal notices in a State paper printed at the seat of government of the State of California, approved March twenty-ninth, eighteen hundred and seventy.

Upon the motion to reconsider the vote, the ayes and noes were demanded by Messrs. Evans, Maclay, and Larkin, and the Senate so ordered by the following vote:

AYES—Messrs. Andross, Boucher, Crane, Duffy, Dyer, Evans, Farley, Finney, Garratt, Goodale, Kent, Keys, Larkin, Maclay, McKusick, McMurry, Minis, Neff, Oulton, Perkins, Turner, and Wing—22.

NOES—Messrs. Banvard, Beck, Betge, Boggs, Comte, Fowler, Hutchings, Irwin, McCoy, O'Connor, Pendegast, Tompkins, Tuttle, Van Ness, Wand, and Wilson—16.

The bill was read a third time, and, upon the passage of the bill, the ayes and noes were demanded by Messrs. Comte, Larkin, and Maclay, and the roll was called with the following result:

AYES—Messrs. Andross, Boucher, Comte, Crane, Duffy, Dyer, Evans, Farley, Finney, Garratt, Goodale, Kent, Keys, Larkin, Maclay, McCoy, McKusick, McMurry, Minis, Neff, Oulton, Perkins, Turner, and Wing—24.

NOES—Messrs. Banvard, Beck, Betge, Boggs, Fowler, Hutchings, Irwin, O'Connor, Pendegast, Tompkins, Tuttle, Van Ness, Wand, and Wilson—14.

NOTICE OF RECONSIDERATION.

Mr. Comte gave notice that he would on to-morrow move a reconsideration of the vote by which the bill was passed, and raised the point of order that the notice of motion to reconsider was not in order.

The President decided that the notice could be given at this time, but that he would decide, when the motion was made to reconsider, whether the notice had been properly given.

Mr. Irwin raised the point of order, that the President should decide the point of order now, for the reason that the notice would improperly retain the bill one day.

The Chair decided the point of order to be well taken.

PETITIONS.

Mr. McCoy presented a petition from members of the bar of San Diego, for the passage of the bill for the creation of the —— Judicial District.

Referred to the Judiciary Committee.

Mr. Neff presented a petition from citizens of Placer County relative to Trustees of Common Schools.

Referred to the Committee on Education.

REPORTS.

Reports were made as follows:

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 214—An Act to amend an Act entitled an Act to raise a fund for the improvement of Napa City, approved January twenty-fourth, eighteen hundred and seventy.

Also, Senate Bill No. 239—An Act to provide for the care of the indigent sick in Del Norte County.

Also, Senate Bill No. 238—An Act for the correction of errors and omissions in the official proceedings relative to certain contracts for street work in the City and County of San Francisco.

Also, Senate Bill No. 202—An Act to amend an Act entitled an Act to provide for the manner of auditing claims against Humboldt County, and to provide for the reduction of taxation therein and expenses thereof, approved April first, eighteen hundred and seventy.

NEFF, for Committee.

By Mr. Tompkins:

Mr. PRESIDENT: The Committee on Judiciary have had under consideration Senate Bill No. 227—An Act to amend an Act entitled an Act to regulate the interest of money, passed March thirteenth, eighteen hundred and fifty.

Also, Senate Bill No. 99—An Act concerning corporations.

Also, Senate Bill No. 231—An Act to more fully define the crime of larceny.

Also, Senate Bill No. 44—An Act to create the —— Judicial District.

And report the same back with amendments, and recommend the adoption of the amendments and the passage of the several bills as amended.

Also, have had under consideration Senate Bill No. 144—An Act concerning the limitation of actions.

Also, Assembly Bill No. 205—An Act to provide for the appointment of additional Notaries Public in the County of Humboldt.

Also, Senate Bill No. 207—An Act to amend an Act entitled an Act to abolish the office of Public Administrator in the Counties of Tuolumne and Santa Barbara, approved April eighteenth, eighteen hundred and fifty-nine.

And report the same back and recommend their passage. As to Senate Bill No. 144, this report is only that of the majority of the committee.

Also, had under consideration Senate Bill No. 205—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and Acts amendatory thereof and supplementary thereto.

Also, Senate Bill No. 199—An Act providing for the purchase of certain volumes of the California Supreme Court Reports.

Also, Assembly Bill No. 162—An Act amendatory of and supplementary to an Act entitled an Act to provide for the better collection of delinquent taxes in the County of Yuba, approved April twenty-fifth, eighteen hundred and sixty-three.

And report the same back, and recommend that they do not pass.

Also, Assembly Bill No. 252—An Act to legalize the assessment of damages by the laying out and opening of Union street in the Town of Watsonville, Santa Cruz County, State of California.

This bill is an attempt to cure, by legislative enactment, defects which do not appear in the bill, in the assessment of damages incurred on laying out and opening a street in the Town of Watsonville. Your committee make the same objections to the passage thereof as have been made to other bills of similar character; that is, that if passed, it would be invalid, and that if the proceedings had on the assessment were illegal, the Legislature cannot make them legal; and if legal, no action of the Legislature is necessary; and therefore report the same back and recommend that it do not pass.

Also, has under consideration Assembly Bill No. 51—An Act to provide for the government of the County of San Diego.

Also, Assembly Bill No. 194—An Act concerning the compensation of certain County Judges in the County of Los Angeles.

Also, Assembly Bill No. 240—An Act fixing the salary of the District Attorney of Lassen County.

Also, Senate Bill No. 219—An Act to amend an Act entitled an Act to regulate fees of office and the salaries of certain officers in the County of San Luis Obispo, approved March twenty-ninth, eighteen hundred and seventy.

Also, Senate Bill No. 217—An Act to amend an Act entitled an Act to provide for the funding of the indebtedness of the County of San Luis Obispo outstanding on the first day of July, eighteen hundred and sixty-three, approved March sixth, eighteen hundred and sixty-three.

And report the same back. None of these bills present any legal question for the consideration of your committee, and therefore it is recommended that they be referred to the Committee on State and County Revenue.

Also, Senate Bill No. 165—An Act to empower the Roadmaster of Pajaro Road District, of Santa Cruz County, to construct and maintain a ditch through the lands of Henry Wiley, of said road district—and report the same back, and recommend that it be referred to the Committee on Roads and Highways.

Also, Assembly Bill No. 204—An Act to repeal an Act entitled an Act in relation to the office of Court Commissioner of the County of San Joaquin, approved March twelfth, eighteen hundred and seventy—and report the same back without recommendation.

TOMPKINS, Chairman.

On motion of Mr. Tompkins, Assembly Bills Nos. 51, 194, and 240, also Senate Bills Nos. 217 and 219, above reported, were severally referred to the Committee on State and County Revenue.

Also, Senate Bill No. 165, above reported, was referred to the Committee on Roads and Highways.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Education have considered Senate Bill No. 228—An Act to provide for deficiencies in the funds of the school districts of Contra Costa County, report the same back, and recommend its passage.

TUTTLE, Chairman.

By Mr. Van Ness:

Mr. PRESIDENT: The Committee on Federal Relations have had under consideration Assembly Joint Resolution No. 3—Instructing our Senators and Representatives in Congress to obtain the adoption of such treaty regulations and legislation as shall discourage Chinese immigration.

Also, Senate Concurrent Resolution No. 8—Instructing our Senators and requesting our Representatives in Congress to secure an appropriation from Congress for the purpose of turning the course of the San Diego River, in this State.

Also, Senate Concurrent Resolution No. —, Instructing our Senators and requesting our Representatives to secure legislation in Congress appropriating a sum of money sufficient to reimburse settlers on the Suscol Ranch for moneys expended by them.

And report the same back and recommend their passage.

Also, have had under consideration Assembly Concurrent Resolution No. 11—Relative to establishment of a steamer mail service on the southern coast.

And report the same back, and recommend that it do not pass, as the subject matter of the resolution has already been provided for by the United States Government.

Also, Senate Joint Resolution No. 3, relative to requesting Congress to raise the weight of silver coin—and report the same back, and recommend that it do not pass.

VAN NESS, Chairman.

Mr. Turner, from the Committee on Elections, submitted a minority report in the matter of the contested election case of Flint versus Beck.

The reading of the report was dispensed with and ordered printed.

By Mr. Irwin:

Mr. PRESIDENT: The delegations from Colusa and Tehama, Trinity and Shasta and Siskiyou Counties, to whom were referred Assembly Bill No. 268—An Act to authorize the Central Pacific Railroad Company to construct and maintain, until the first day of November, eighteen hundred and seventy-two, a temporary bridge, without a draw, across the Sacramento River at the place where the California and Oregon branch of the railroad of said company crosses said river, near the Town of Tehama, in the County of Tehama, herewith report a substitute for said bill, and ask that the substitute may be adopted and the bill then passed.

BOGGS.
IRWIN.

Mr. McMurry dissents from the the recommendation that the bill pass.

On motion of Mr. Irwin the rules were suspended for the consideration of Assembly Bill No. 268, above reported.

Substitute reported by the delegations adopted, bill read a third time and passed.

By Mr. Comte:

Mr. PRESIDENT: The Sacramento delegation, to whom was referred Assembly Bill No. 156—An Act to provide for the liquidation of certain bonds of the City of Sacramento, respectfully report that they have had the same under consideration and report same back and recommend its passage.

DUFFY.
COMTE.

On motion of Mr. Tuttle, Assembly Bill No. 220, was taken up from the General File and recommitted to the Sonoma delegation.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
February 14th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this fourteenth day of February, adopted Assembly amendments to Senate substitute for Assembly Bill No. 1—An Act to repeal an Act entitled an Act to establish a public street in the City and County of San Francisco, to be called Montgomery Avenue, and to take private lands therefor, and respectfully ask the concurrence of the Senate in the amendments.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
February 15th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this fifteenth day of February, adopted the following resolution:

Resolved, That the Clerk be authorized to request the return from the Senate of Senate substitute for Assembly Bill No. 1, for the purpose of correcting a clerical error.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
February 15th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this fifteenth day of February, passed Senate Bill No. 211—An Act to amend an Act entitled an Act to promote agriculture, approved March twenty-sixth, eighteen hundred and sixty-six.

Also, passed, on same day, Senate Bill No. 230—An Act to furnish arms for the use of military academies in the State.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
February 15th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the fourteenth day of February, passed the following bills:

Assembly Bill No. 225—An Act to authorize the Board of Supervisors of Sutter County to build and furnish a Court House and Jail at the county seat of said county, and to provide a fund therefor.

Assembly Bill No. 237—An Act to regulate the traveling fees of the Sheriff of the County of Kern.

Assembly Bill No. 288—An Act to incorporate the Town of Cloverdale, Sonoma County, California.

Also, amended and passed Senate Bill No. 106—An Act creating a Board of Education for the City of Los Angeles, and authorizing the Common Council of that city to issue bonds for a special School Building Fund.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
February 14th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the sixth day of February, passed Assembly Bill No. 130—An Act to amend an Act entitled an Act to protect the wages of labor, approved March twenty-first, eighteen hundred and sixty-eight.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 225, above reported, read first and second times and referred to the Committee on Public Buildings.

Assembly Bill No. 237, above reported, read first and second times, rules suspended, bill read a third time, and passed.

Assembly Bill No. 130, above reported, read first and second times and referred to Judiciary Committee.

Assembly Bill No. 288, above reported, read first and second times and referred to the Sonoma delegation.

Senate Bill No. 106, above reported, amendment made by the Assembly concurred in by the Senate.

Senate Bill No. 1, above reported, returned to the Assembly as per resolution.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Maclay—An Act entitled an Act for the relief of John J. McCredy.

Read first and second times and referred to the Committee on Claims.

Also, an Act to encourage silk culture and manufacture.

Read first and second times and referred to the Committee on Agriculture.

Also, an Act to provide for the opening and improvement of Santa Clara and Saratoga Avenue in the County of Santa Clara.

Read first and second times and referred to the Santa Clara delegation.

By Mr. Wand—An Act to change the name of the Front street, Mission, and Ocean Railroad Company.

Read first and second times and referred to the San Francisco delegation.

Also, an Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board.

Read first and second times and referred to the San Francisco delegation.

Also, an Act to facilitate and increase the collection of State and county and municipal licenses in the City and County of San Francisco.

Read first and second times and referred to the San Francisco delegation.

Also, an Act amendatory of an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to open and grade Market street, in said city, from the intersection of said street with Valencia street to its intersection with Seventeenth street, and to condemn private property for the roadway of said street, approved April second, eighteen hundred and seventy.

Read first and second times and referred to the San Francisco delegation.

By Mr. Gwin—An Act concerning certain crimes and punishments.

Read first and second times and referred to the Judiciary Committee.

By Mr. Keys—An Act to provide for the erection of a schoolhouse in Modesto School District, in the County of Stanislaus.

Read first and second times and referred to the Stanislaus delegation.

By Mr. McCoy—An Act concerning the San Diego and Gila Southern Pacific and Atlantic Railroad Company, and to extend the time of performing certain acts.

Read first and second times and referred to the Committee on Corporations.

By Mr. O'Connor—An Act supplementary to an Act entitled an Act defining the time for commencing civil actions, passed April twenty-second, eighteen hundred and fifty.

Read first and second times and referred to the Judiciary Committee.

MOTIONS, RESOLUTIONS, AND NOTICES.

By Mr. Duffy:

Resolved, That C. E. Spencer be and he is hereby allowed the sum of twenty-one dollars ($21) for copies of the *Sacramento Record* furnished to members of the last Legislature, the same to be payable out of the Contingent Fund of the Senate.

Read and referred to the Committee on Contingent Expenses.

Pursuant to notice, Mr. Irwin moved to reconsider the vote by which the Senate, on yesterday, adopted Senate Joint Resolution No. 5.

The motion to reconsider prevailed, and on motion, the consideration of the resolution was made the special order for Thursday, February twenty-second, eighteen hundred and seventy-two, at one o'clock, P. M.

On motion of Mr. Irwin, the majority and minority reports of the Committee on Elections were ordered printed, and the matter of the contested election of Thomas Flint vs. Thomas Beck was made the special order for Thursday, February twenty-ninth, eighteen hundred and seventy-two, at 12 o'clock M.

GENERAL FILE.

Senate Bill No. 126—An Act in relation to Coroners.

Read a third time and passed.

Senate Bill No. 218—An Act making appropriations for deficiencies.

Read a third time and passed.

Assembly Bill No. 270—An Act for the protection of fish in the waters of Butte Creek, in the County of Butte.

Read a third time and passed.

Assembly Bill No. 253—An Act to amend an Act entitled an Act to incorporate the Town of Watsonville, Santa Cruz County, California, approved March thirtieth, eighteen hundred and sixty-eight.

Referred to the Judiciary Committee.

Assembly Bill No. 229—An Act to fix the bonds of the Sheriff of the County of Contra Costa.

Amendment reported by the delegation adopted by the Senate, bill read a third time and passed.

[President pro tem in the chair.]

Assembly Bill No. 17—An Act to create the Eighteenth Judicial District, and for other purposes.

The bill was read a third time, and upon the passage of the bill the roll was called with the following result, it requiring two thirds of all the Senators elected to the Senate to pass the bill, and the Senate refused to pass the bill by the following vote:

AYES—Messrs. Beck, Betge, Boggs, Comte, Crane, De Haven, Duffy, Dyer, Evans, Finney, Fowler, Garratt, Gwin, Hutchings, Kent, Keys, Maclay, McCoy, McKusick, Neff, Oulton, Pendegast, Wand, Wilson, and Wing—25.

NOES—Messrs. Banyard, Goodale, Irwin, Larkin, McMurry, Minis, O'Connor, Perkins, Tompkins, Turner, and Tuttle—11.

NOTICE OF RECONSIDERATION.

Mr. McMurry gave notice that he would to-morrow move to reconsider the vote by which the Senate refused to pass Assembly Bill No. 17.

GENERAL FILE RESUMED.

Senate Bill No. 140—An Act to amend an Act entitled an Act for the protection of game, approved May thirteenth, eighteen hundred and fifty-four.

Considered in Committee of the Whole and amended.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the Senate and bill ordered engrossed.

GENERAL FILE RESUMED.

Senate Bill No. 170—An Act to encourage agriculture and other industries.

Amendment reported by the Committee on Agriculture adopted by the Senate, rules suspended, bill considered engrossed and read a third time, and upon the passage of the bill the ayes and noes were demanded by Messrs. Evans, O'Connor, and Tuttle, and the bill was passed by the following vote:

Ayes—Messrs. Banvard, Beck, Berge, Boggs, Conte, Crane, Duffy, Dyer, Evans, Farley, Finney, Fowler, Garratt, Gwin, Hutchings, Irwin, Keys, Larkin, Mackay, McCoy, McMurry, Minis, Pendegast, Perkins, Van Ness, Wand, Wilson, and Wing—28.

Noes—Messrs. De Haven, Goodale, Neff, O'Connor, Oulton, Tompkins, and Tuttle—7.

Senate Bill No. 201—An Act to provide for the payment of certain coupons upon bonds of the State of California that have been lost.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 153—An Act to compensate Curtis H. Lindley for services rendered the Revision Commission.

Substitute reported by the Committee on Claims adopted by the Senate, and amended by striking out the second section of the bill.

The rules were suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 73—An Act fixing the compensation of Sheriffs of the several counties of this State.

The bill was amended by striking out all that portion relating to conveying persons to the Insane Asylum, and bill ordered engrossed.

Senate Bill No. 222—An Act to pay for services rendered in the State Armory.

Referred to the Finance Committee.

[Mr. Pendegast in the chair.]

Senate Bill No. 134—An Act to appropriate money to pay for services rendered the State by D. W. Murphy.

Report of committee, recommending that the bill do not pass, was adopted.

Senate Bill No. 241—An Act amendatory of and supplemental to an Act entitled an Act to prevent hunting and shooting on private grounds in the Counties of Alameda and San Mateo.

Passed on file.

Senate Bill No. 142—An Act for the relief of the Sarsfield Grenadier Guard, of Sacramento.

Report of committee, recommending that the bill do not pass, was adopted.

Senate Bill No. 95—An Act for the relief of Jared C. Brown, of the City and County of San Francisco.

Report of committee, recommending that the bill do not pass, was adopted.

Senate Bill No. 160—An Act to pay the expenses necessarily incurred in suppressing Indian hostilities in the Counties of Humboldt and Trinity

in the years eighteen hundred and sixty-eight and eighteen hundred and sixty-nine.

Rules suspended, bill considered engrossed, read a third time and passed.

[President pro tem in the chair.]

Senate Bill No. 195—An Act amending an Act entitled an Act to restrict the herding of sheep, approved May eighteenth, eighteen hundred and sixty-one.

The bill was amended by making it applicable only to Yolo County, and ordered engrossed.

Senate Bill No. 197—An Act to amend an Act entitled an Act to restrict the herding of sheep, approved May eighteenth, eighteen hundred and sixty-one.

Amended by inserting the following: "This Act shall not apply to any county to which the Act of which this is amendatory does not apply," and bill ordered engrossed.

Senate Bill No. 232—An Act to amend an Act entitled an Act to incorporate the Town of Colusa.

Amendment reported by the Committee on Corporations adopted.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 212—An Act to incorporate the Town of Alameda.

Amendments reported by the Committee on Corporations adopted by the Senate.

Rules suspended, bill considered engrossed, read a third time and passed.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 15th, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 221—An Act to establish a Penal Code.

NEWTON BOOTH, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 15th, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 34—An Act to amend an Act entitled an Act to define the duties and liabilities of pawnbrokers and pledgees, approved April seventeenth, eighteen hundred and sixty-one.

Also, Senate Bill No. 27—An Act to prevent the capture and destruction of mocking birds in this State.

NEWTON BOOTH, Governor.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
February 15th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the sixth day of February, passed Assembly Bill No. 153—An Act to incorporate the Town of Woodland.

Also, passed on the same day, Substitute Assembly Bill No. 254—An Act to prohibit the selling or giving away intoxicating beverages to certain persons.

Also, passed on same day, Assembly Bill No. 227—An Act for the relief of the California volunteer officers and sailors of the United States Navy who have honorably served within the State of California.

Also, passed on the same day, Substitute Assembly Bill No. 212—An Act to amend an Act approved March thirty-first, eighteen hundred and seventy, entitled an Act supplementary to and amendatory of an Act entitled an Act to authorize the Boards of Supervisors of the several counties of this State to grant the right to construct wharves on the overflowed and submerged lands of this State, approved April eighth, eighteen hundred and fifty-eight.

Also, passed on the same day, Assembly Bill No. 312—An Act to confirm a certain contract for the sale of stock held by the County of Santa Clara in the Western Pacific Railroad Company, and to give effect to the same, and amendatory of an Act entitled an Act to authorize the Board of Supervisors of the County of Santa Clara to take and subscribe one hundred and fifty thousand dollars to the capital stock of the Western Pacific Railroad Company, and to provide for the payment of the same, and other matters relating thereto, approved April fourteenth, eighteen hundred and sixty-three.

Also, passed on the eighth instant, Assembly Bill No. 273—An Act supplemental to an Act entitled an Act to authorize the County of Sonoma to donate bonds to a railroad company, and to provide for the payment of the same, approved March eighteenth, eighteen hundred and sixty-eight.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
February 15th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this fifteenth day of February, passed, under a suspension of the rules, and ordered the same transmitted to the Senate without engrossment, Assembly Bill No. 360—An Act to extend the time allowed to the Southern Pacific Railroad Company and the Western Pacific Railroad Company in which to make the terminus of their roads upon certain lands donated to them by the State for that purpose in the City and County of San Francisco, approved April second, eighteen hundred and seventy.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
February 15th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this fifteenth day of February, passed the following bills: Assembly Joint Resolution No. 19—Relative to extending the time of payment for public lands.

Also, Assembly Bill No. 294—An Act amendatory of and supplementary to an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one.

Also, amended and passed Senate Bill No. 171—An Act declaring the San Joaquin River and the Stockton Slough navigable from and to certain points herein named.

Also, passed Senate Bill No. 198—An Act to provide for the payment of certain claims against Lake County.

Also, passed Assembly Bill No. 278—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Also, passed Assembly Bill No. 279—An Act to amend an Act entitled an Act concerning Courts of justice of this State and judicial officers, approved April twentieth, eighteen hundred and sixty-three.

Also, passed Assembly Bill No. 265—An Act authorizing the District Courts of this State to appoint assistant counsel in the prosecution of criminal cases, and providing compensation therefor.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 153, above reported, read first and second times and referred to the Yolo delegation.

Assembly Bill No. 254, above reported, read first and second times and referred to the Committee on Public Morals.

Assembly Bill No. 227, above reported, read first and second times and referred to the Committee on Military Affairs.

Substitute for Assembly Bill No. 212, above reported, read first and second times and referred to the Committee on Commerce and Navigation.

Assembly Bill No. 312, above reported, read first and second times and referred to the Santa Clara delegation.

Assembly Bill No. 273, above reported, read first and second times and ordered on file.

Assembly Bill No. 360, above reported, read first and second times and referred to the Committee on Swamp and Overflowed Lands.

Assembly Bills Nos. 294, 278, 279, and 265, above reported, were severally read first and second times and referred to the Judiciary Committee.

Assembly Joint Resolution No. 19, above reported, read first and second times and referred to the Committee on Public Lands.

Senate Bill No. 171, above reported, with amendments. On motion of Mr. Tompkins, the consideration of the amendments was postponed until to-morrow.

At three o'clock and forty minutes P. M., on motion of Mr. Fowler, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Friday, February 16th, 1872.

Senate met pursuant to adjournment.
President pro tem in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

PETITIONS.

Mr. De Haven presented a petition from citizens of Humboldt County, for the enfranchisement and protection of women.

Mr. Finney presented four petitions for the same purpose from citizens of San Francisco.

The several petitions were referred to the Special Committee of the Senate on Female Suffrage.

Mr. Tuttle presented a petition from citizens of Sonoma County, for the passage of Assembly Bill No. 273.

Also, a remonstrance from citizens of Sonoma County against the passage of Assembly Bill No. 273.

The petition and remonstrance were referred to the Sonoma delegation.

REPORTS.

The following reports were made:

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 108—An Act to authorize the Board of Trustees of Woodland School District, in the County of Yolo, to borrow money for certain purposes, and provide for the payment of the same.

NEFF, for Committee.

By Mr. Hutchings:

Mr. PRESIDENT: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 194—An Act to provide for the location, construction, and maintenance of public roads and highways in the County of Placer, and have presented the same to the Governor for his signature, at one o'clock and eighteen minutes P. M.

HUTCHINGS.

By Mr. Pendegast:

Mr. President: Your Committee on Counties and County Boundaries have had under consideration Senate Bill No. 204—An Act in relation to the removal of the county seat of Alameda County—and herewith return the same to the Senate, and report as follows:

The bill proposes that, at an election to be held on the third of April next, the qualified voters of Alameda County may decide upon the removal of the county seat to Oakland or its retention at San Leandro. A petition, signed by over one thousand nine hundred residents and taxpayers of said county, urges the passage of the bill, principally on the ground that Oakland is nearer the center of wealth and population than San Leandro. This statement seems to be confirmed by proof. At the same time a remonstrance, signed by over two thousand three hundred citizens and taxpayers of Alameda County, protests in strong language against the removal or legislation on the subject.

The Board of Supervisors, consisting of six members, has, by a vote of five to one, earnestly joined in this remonstrance.

The County buildings at San Leandro, with the lot on which they stand, are worth about forty thousand dollars. The said buildings, though perhaps adequate to the present requirements of the county, are by no means creditable thereto. If the removal is effected, the county, by the terms of the deed to the lot in San Leandro, loses said property, it reverting, with the improvements, to the grantors.

The City of Oakland offers for the use of the county, free of charge, certain apartments in the City Hall, sufficient in size and proper in arrangement for the transaction of county business; and further, offers a lot upon which the county can, at its pleasure, erect a Hall of Records and other county offices. It is stated that the city will further donate two large valuable plazas for county uses. But this donation is not provided for in the bill.

Your committee are not agreed in opinion as to whether or not the bill should pass, and have thought it best to return it, with this statement of facts, which, we believe, are indisputed, without a specific recommendation.

PENDEGAST,
TURNER,
BOGGS,
PERKINS,
FARLEY.

By Mr. O'Connor:

Mr. President: The Committee on State and County Revenue, to whom was referred Assembly Bill No. 51—An Act to provide for the government of the County of San Diego—respectfully report that they have had said bill under consideration, and herewith report the same back, with an amendment, and recommend its passage as amended.

O'CONNOR, for Committee.

On motion of Mr. O'Connor, the rules were suspended for the consideration of Assembly Bill No. 51.

The amendment reported by the committee was adopted.

The bill was read a third time and passed.

By Mr. Finney:

Mr. PRESIDENT: The Committee on Education report back Senate Bill No. 145 without recommendation.

FINNEY, for Committee.

On motion of Mr. Finney, Senate Bill No. 145, above reported, was made the special order for Wednesday next at one o'clock P. M.

By Mr. Keys:

Mr. PRESIDENT: The Stanislaus delegation, to whom was referred Senate Bill No. 263—An Act to provide for the erection of a school house in Modesto School District, in the County of Stanislaus—have had the same under consideration, report it back and recommend its passage.

KEYS, for Delegation.

Mr. Maclay verbally reported Assembly Bill No. 312, and recommended its passage.

On motion of Mr. Maclay, the rules were suspended for the consideration of Assembly Bill No. 312, above reported, bill read a third time and passed.

By Mr. Wand:

Mr. PRESIDENT: The San Francisco delegation have had the following bills under consideration and report them back as follows:

Senate Bill No. 258—An Act to change the name of the Front street, Mission, and Ocean Railroad Company.

Passage recommended.

Also, Senate Bill No. 260—An Act to facilitate and increase the collections of State and county and municipal licenses in the City and County of San Francisco.

Amended, and passage recommended as amended.

Also, Senate Bill No. 261—An Act amendatory of an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to open and grade Market street, in said city, from the intersection of said street with Valencia street to its intersection with Seventeenth street, and to condemn private property for the roadway of said street, approved April second, eighteen hundred and seventy.

Passage recommended.

WAND, Chairman.

On motion of Mr. Wand, the bills above reported were ordered on file.

Mr. Dyer, from the Calaveras delegation, verbally reported Assembly Bill No. 101, and recommended its passage.

On motion of Mr. Dyer, the rules were suspended for the consideration of Assembly Bill No. 101, above reported.

Bill read a third time and passed.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
February 16th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the sixteenth day of February, adopted Assembly Concurrent Resolution No. 26—Relative to authorizing the Enrolling Clerk of the Assembly to correct the title of Assembly Bill No. 110, an Act to amend an Act entitled an Act concerning roads and highways in the County of Mendocino—and ask the concurrence of the Senate therein.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Concurrent Resolution No. 20, above reported, concurred in by the Senate.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Oulton—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one.

Read first and second times and referred to the Judiciary Committee.

By Mr. Keys—An Act to regulate the salary of the County Treasurer of Stanislaus County.

Read first and second times and ordered on file.

By Mr. Neff—An Act for the observance of the Sabbath.

Read first and second times and referred to the Committee on Public Morals, and ordered printed.

By Mr. Boggs—An Act to provide for the location, construction, and maintenance of public roads in the County of Colusa.

Read first and second times and referred to the Committee on Roads and Highways, and ordered printed.

RECONSIDERATION.

Pursuant to notice, Mr. McMurry moved to reconsider the vote by which the Senate on yesterday refused to pass Assembly Bill No. 17.

Upon the motion to reconsider, the ayes and noes were demanded by Messrs. Tompkins, Banvard, and Tuttle, and the motion prevailed by the following vote:

AYES—Messrs. Andross, Beck, Betge, Boggs, Boucher, Comte, Crane, De Haven, Dyer, Evans, Farley, Finney, Fowler, Garratt, Gwin, Hutchings, Irwin, Kent, Keys, Maclay, McCoy, McKusick, Neff, Oulton, Pendegast, Van Ness, Wand, Wilson, and Wing—29.

NOES—Messrs. Banvard, Duffy, Goodale, Larkin, McMurry, Minis, Perkins, Tompkins, Turner, and Tuttle.—10.

Upon the passage of the bill the roll was called, and the bill was passed by the following vote:

AYES—Messrs. Andross, Beck, Betge, Boggs, Boucher, Comte, Crane,

De Haven, Dyer, Evans, Farley, Finney, Fowler, Garratt, Gwin, Hutchings, Irwin, Kent, Keys, Maclay, McCoy, McKusick, Neff, Oulton, Pendegast, Van Ness, Wand, Wilson, and Wing—29.

Noes—Messrs. Banvard, Duffy, Goodale, Larkin, McMurry, Minis, O'Connor, Perkins, Tompkins, Turner, and Tuttle—11.

RESOLUTIONS.

By Mr. Finney:

Whereas, It appears from the Journals of the Senate and Assembly of the seventeenth session of the Legislature of the State of California that Assembly Bill No. 238—An Act granting certain lands in Yosemite Valley to J. M. Hutchings and J. C. Lamon—was duly passed over the veto of the Governor, and yet was not published or put forth as a law of the State of California, as it was entitled to be; and whereas, great injustice is or is liable to be done to the rights and interests of the citizens of the United States and of this State; therefore

Resolved by the Senate, That a committee of three be appointed to inquire into the reasons and causes of the disappearance of the aforesaid Act; and that said committee be empowered to send for persons and papers and to administer oaths.

Adopted.

On motion of Mr. Finney, the rules were suspended for the purpose of allowing the President of the Senate to appoint said committee.

On motion of Mr. Evans, the Senate took up consideration of Assembly amendment to Senate Bill No. 171—An Act declaring the San Joaquin River and the Stockton Slough navigable from and to certain points herein named.

Amendment reported by the Assembly concurred in by the Senate.

By Mr. Banvard:

Resolved, That the Committee on Hospitals, composed of Senators Keys, Boggs, Evans, Gwin, and Goodale, and also Owen Thorne, acting as Clerk of said committee, be and they are hereby allowed eighty dollars and twenty cents each as mileage, in visiting the Insane Asylum at Stockton, and the Asylum for the Deaf, Dumb, and Blind, near Oakland; and that the Controller of State is hereby required to draw his warrants upon the State Treasurer for the above amounts, payable out of the appropriation for contingent expenses of the Senate.

Mr. Larkin moved to refer the resolution to the Committee on Contingent Expenses.

Lost.

On motion of Mr. Oulton, the resolution was amended by striking out all that portion relating to mileage for Clerk.

Resolution adopted as amended.

On motion of Mr. Tompkins, Senate Bill No. 204, this day reported from the Committee on County and County Boundaries, was made the special order for Tuesday next at twelve o'clock M.

On motion of Mr. Keys, Assembly Bill No. 82 was referred to the Merced delegation.

By Mr. Duffy:

Resolved, That D. P. Fenton be and he is hereby appointed Assistant

Journal Clerk of the Senate, at the usual per diem, payable out of the Contingent Expense Fund of the Senate.

Referred to the Committee on Contingent Expenses.

SPECIAL ORDER.

Substitute for Senate Bill No. 33—An Act to enforce the education of children.

On motion of Mr. O'Connor, substitute for Senate Bill No. 33 was made the special order for Tuesday, February twenty-seventh, at one o'clock P. M.

RESOLUTION.

By Mr. Banvard:

Resolved by the Senate, the Assembly concurring, That the sum of eighty dollars and twenty cents be allowed Owen Thorne for mileage, while acting as Clerk of the Hospital Committee in visiting the Insane Asylum and the Asylum for the Deaf, Dumb, and Blind, payable one half out of the appropriation for contingent expenses of the Senate, and one half out of the appropriation for contingent expenses of the Assembly.

Adopted.

INVITATION.

The President of the Senate presented the following communication:

IMPROVED ORDER OF RED MEN—JURISDICTION OF CALIFORNIA.

Office of the Committee of the General Convention of the Tribes in San Francisco, Department of Literary Exercises and Invitations.

SAN FRANCISCO, February 13th, 1872.

To the Honorable the Senate of California:

The sixteen Tribes of the Improved Order of Red Men, in the Districts in San Francisco, in accordance with the customs of the Order, American as it is in all its history, have resolved that the anniversary of Washington's Birthday, on the twenty-second instant, shall be observed in an appropriate manner in this city. To that end Union Hall, on Howard street, has been secured, and an appropriate order of exercises arranged. It is desirable that all good citizens join in the same, that it may be conducted with honor to the memory of the patriot whose natal day it is. The occasion will be sought to be made a purely patriotic one, simply conducted under the auspices of our brotherhood. The hour, half-past two P. M., is chosen so as not to conflict with the ceremony of laying the corner stone of the New City Hall on that day.

Guests will assemble in the parlors of Union Hall at fifteen minutes past two P. M. promptly.

The attendance of the members of your honorable body is requested. A reply and your acceptance is respectfully solicited.

Truly yours,

J. A. WOODSON,
Chairman Committee on Literary Exercises.

CALL OF THE SENATE.

At one o'clock and ten minutes P. M., Mr. Fowler moved a call of the Senate, which was ordered.

The roll was called and the following Senators were absent without leave: Messrs. Banvard, Boucher, De Haven, Duffy, Dyer, Evans, Finney, Hutchings, Kent, Keys, Larkin, Maclay, McMurry, Minis, Oulton, Pendegast, Turner, and Wing.

Messrs. Banvard, Dyer, Finney, Hutchings, Keys, Larkin, McMurry, Minis, Oulton, Pendegast, and Wing appeared at the bar of the Senate and were admitted to their seats.

Messrs. McMurry and Dyer were, on motion, excused for their absence.

On motion of Mr. Betge, further proceedings under the call were dispensed with.

GENERAL FILE.

Senate Bill No. 239—An Act to provide for the care of the indigent sick in Del Norte County.

Read a third time and passed.

Assembly Bill No. 156—An Act to provide for the liquidation of certain bonds of the City of Sacramento.

Read a third time and passed.

Assembly Bill No. 162—An Act amendatory of and supplementary to an Act entitled an Act to provide for the better collection of delinquent taxes in the County of Yuba, approved April twenty-fifth, eighteen hundred and sixty-three.

Upon the adoption of the report of the committee recommending that the bill do not pass, the ayes and noes were demanded by Messrs. Tompkins, Duffy, and Tuttle, and the Senate refused to adopt the report by the following vote:

AYES—Messrs. Banvard, Duffy, Farley, Irwin, Keys, Larkin, O'Connor, Pendegast, Tompkins, Turner, Tuttle, Wand, and Wilson—13.

NOES—Messrs. Andross, Beck, Boggs, Boucher, Comte, Crane, De Haven, Dyer, Evans, Finney, Fowler, Garratt, Goodale, Hutchings, Kent, Maclay, McCoy, McKusick, Minis, Neff, Perkins, and Wing—22.

The bill was read a third time, and upon the passage of the bill, the ayes and noes were demanded by Messrs. O'Connor, Tompkins, and Banvard, and the Senate so ordered by the following vote:

AYES—Messrs. Andross, Beck, Betge, Boggs, Boucher, Comte, Crane, Duffy, Dyer, Evans, Finney, Fowler, Garratt, Goodale, Gwin, Hutchings, Kent, Maclay, McCoy, McKusick, Perkins, and Wing—22.

NOES—Messrs. Banvard, Farley, Irwin, Keys, O'Connor, Oulton, Pendegast, Tompkins, Turner, Tuttle, Wand, and Wilson—12.

NOTICE OF RECONSIDERATION.

Mr. Duffy gave notice that he would on to-morrow move a reconsideration of the vote by which Assembly Bill No. 162 was passed.

[Mr. Minis in the chair.]

GENERAL FILE RESUMED.

Assembly Bill No. 204—An Act to repeal an Act entitled an Act in relation to the office of Court Commissioner of the County of San Joaquin.

Indefinitely postponed.

Assembly Bill No. 205—An Act to provide for the appointment of additional Notaries Public for the County of Humboldt.

Read a third time and passed.

Assembly Bill No. 252—An Act to legalize the assessment of damages by the laying out and opening of Union street, in the Town of Watsonville.

Report of committee, recommending that the bill do not pass, was adopted.

Assembly Bill No. 273—An Act supplemental to an Act entitled an Act to authorize the County of Sonoma to donate bonds to a railroad company, and to provide for the payment of the same.

Read a third time and passed.

[President pro tem in the chair.]

Senate Bill No. 241—An Act amendatory of and supplemental to an Act entitled an Act to prevent hunting and shooting on private grounds in the Counties of Alameda and San Mateo.

Amendment reported by committee adopted, and bill amended by inserting the word "Sacramento" after the word "Nevada" wherever the same appears in the bill, and on motion of Mr. Finney the bill was passed on file.

Senate Bill No. 199—An Act providing for the purchase of certain volumes of the California Supreme Court Reports.

Report of Judiciary Committee, recommending that the bill do not pass, was adopted.

Senate Bill No. 205—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and Acts amendatory thereof and supplemental thereto.

Indefinitely postponed.

Senate Bill No. 207—An Act to amend an Act entitled an Act to abolish the office of Public Administrator in the Counties of Tuolumne and Santa Barbara.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 227—An Act to amend an Act entitled an Act to regulate the interest of money, passed March thirteenth, eighteen hundred and fifty.

Amendments reported by the Judiciary Committee adopted, rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 228—An Act to provide for deficiencies in the Funds of the school districts of Contra Costa County.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 231—An Act to more fully define the crime of larceny.

Amendments reported by the Judiciary Committee adopted, rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 44—An Act to create the Nineteenth Judicial District

Amendments reported by the Judiciary Committee adopted by the Senate, rules suspended, bill considered engrossed, and read a third time.

Upon the passage of the bill the roll was called, with the following result:

AYES—Messrs. Andross, Banvard, Beck, Betge, Boggs, Boucher, Comte, Crane, De Haven, Duffy, Dyer, Evans, Farley, Finney, Garratt, Goodale, Gwin, Hutchings, Irwin, Kent, Keys, Maclay, McCoy, McKusick, Neff, Oulton, Pendegast, Perkins, Tompkins, Turner, Van Ness, Wand, Wilson, and Wing—34.

NOES—Messrs. Fowler, Larkin, McMurry, Minis, O'Connor, and Tuttle—6.

Senate Bill No. 99—An Act concerning corporations.

Amendments reported by the Judiciary Committee adopted.

Mr. Fowler moved to make the bill the special order for two weeks from to-day.

Lost.

Mr. Larkin moved to strike out the enacting clause of the bill, upon which the ayes and noes were demanded by Messrs. Larkin, Oulton, and Tompkins, and the Senate refused by the following vote:

AYES—Messrs. Boucher, Larkin, and O'Connor—3.

NOES—Messrs. Andross, Banvard, Beck, Betge, Boggs, Comte, Crane, Duffy, Dyer, Evans, Farley, Garratt, Goodale, Gwin, Hutchings, Irwin, Kent, Keys, Maclay, McCoy, McKusick, McMurry, Minis, Neff, Oulton, Pendegast, Perkins, Tompkins, Turner, Van Ness, Wand, Wilson, and Wing—33.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 144—An Act concerning the limitation of actions.

Rules suspended, bill considered engrossed, and read a third time.

Upon the passage of the bill the ayes and noes were demanded by Messrs. Tompkins, Minis, and Maclay, and the Senate so ordered by the following vote:

AYES—Messrs. Andross, Banvard, Beck, Betge, Boucher, Crane, Duffy, Dyer, Evans, Finney, Garratt, Gwin, Hutchings, Irwin, Kent, Keys, Maclay, McCoy, McKusick, McMurry, Neff, O'Connor, Oulton, Pendegast, Perkins, Tuttle, Wand, Wilson, and Wing—29.

NOES—Messrs. Boggs, Comte, Farley, Goodale, Larkin, Minis, Tompkins, Turner, and Van Ness—9.

At five o'clock P. M., on motion of Mr. Finney, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Saturday, February 17th, 1872.

Senate met pursuant to adjournment.
President pro tem in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Mr. Maclay was granted leave of absence for one day.

SPECIAL COMMITTEE.

The President announced the appointment of the special committee, in pursuance of a resolution adopted by the Senate on the sixteenth, Messrs. Finney, Irwin, and Comte.

REPORTS.

Reports were made as follows:

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 195—An Act amending an Act entitled an Act to restrict the herding of sheep, approved May eighteenth, eighteen hundred and sixty one.

Also, Senate Bill No. 201—An Act to provide for the payment of certain coupons upon bonds of the State of California that have been lost.

Also, Senate Bill No. 73—An Act fixing the compensation of Sheriffs of the several counties of the State in certain cases.

Also, Senate Bill No. 170—An Act to encourage agriculture and other industries.

Also, Senate Bill No. 160—An Act to pay the expenses necessarily incurred in suppressing Indian hostilities in the Counties of Humboldt and Trinity in the years eighteen hundred and sixty-eight and eighteen hundred and sixty-nine.

Also, Senate Bill No. 232—An Act to amend an Act entitled an Act to incorporate the Town of Colusa, approved April fourth, eighteen hundred and seventy.

Also, Senate Bill No. 197—An Act to amend an Act entitled an Act to restrict the herding of sheep, approved May eighteenth, eighteen hundred and sixty-one.

NEFF, for Committee.

By Mr. Hutchings:

Mr. PRESIDENT: Your Committee on Enrollment would respectfully

report that they have examined and find correctly enrolled Senate Bill No. 112—An Act to incorporate the Town of Wilmington, in the County of Los Angeles, in the State of California.

Also, Senate Bill No. 48—An Act prescribing certain duties to be performed by the State Controller, State Treasurer, and the State Board of Examiners.

Also, Senate Bill No. 74—An Act to legalize certain payments of money on account of the purchase of State school lands.

Also, Senate Bill No. 163—An Act for the relief of S. R. J. Sturgeon, late District Attorney of Santa Barbara County.

And have presented the same to the Governor for his signature, this day at twelve o'clock and thirty minutes P. M.

HUTCHINGS, Chairman.

By Mr. Evans:

Mr. PRESIDENT: The San Joaquin delegation, to whom was referred Senate Bill No. 75—An Act authorizing the appointment and prescribing the duties of a Reporter for the County and Probate Courts in San Joaquin County—after carefully considering the same respectfully report the bill back to the Senate with a substitute, and recommend the passage of the substitute.

EVANS, for Delegation.

On motion of Mr. Evans, Senate Bill No. 75, above reported, was referred to the Judiciary Committee.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
February 16th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the eighth day of February, passed Assembly Bill No. 290—An Act to empower and authorize the Commissioners of the former Pueblo or City of Sonoma to sell and convey a portion of the lands known as the Pueblo Grant of Sonoma.

Also, on the same day, passed Assembly Bill No. 289—An Act in relation to fence and pound districts in the County of Sonoma.

Also, on the same day, passed Assembly Bill No. 320—An Act to authorize the corporate authorities of the Town of Santa Clara to take and hold in trust and convey certain lands.

Also, Assembly Joint Resolution No. 20—Relative to fortifications in San Diego Harbor.

Also, on the sixteenth day of February, indefinitely postponed Senate Bill No. 98—An Act for the relief and support of the California Labor and Employment Exchange.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 290, above reported, read first and second times and referred to the Sonoma delegation.

Assembly Bill No. 289, above reported, read first and second times and referred to the Sonoma delegation.

Assembly Bill No. 320, above reported, read first and second times and referred to the Santa Clara delegation.

Assembly Joint Resolution No. 20, above reported, read first and second times and referred to the Committee on Federal Relations.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Pendegast—An Act entitled an Act to amend an Act to prevent the destruction of fish in the waters of Napa River and Sonoma Creek.

Read first and second times and ordered on file.

By Mr. Boucher—An Act concerning roads in the County of Butte.

Read first and second times and referred to the Committee on Roads and Highways.

By Mr. Oulton—An Act to more particularly define the boundary line between the City and County of San Francisco and the County of Alameda.

Read first and second times and referred to the San Francisco and Alameda delegations.

Also, an Act relative to the purchase and delivery of stationery and other articles by the Secretary of State.

Read first and second times and referred to the Finance Committee.

By Mr. Evans—An Act to amend section three hundred and sixty-four of an Act entitled an Act to regulate proceedings in criminal cases, approved May first, eighteen hundred and fifty-one.

Read first and second times and referred to the Judiciary Committee.

By Mr. Garratt—An Act to add an additional section to the Penal Code.

Read first and second times and referred to the Judiciary Committee.

By Mr. Farley—An Act to authorize the Board of Supervisors of Amador County to levy an additional tax for county expenditures in said county.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

REPORT.

By Mr. Larkin:

Mr. PRESIDENT: The Committee on State and County Revenue, to whom was referred Assembly Bill No. 194—An Act concerning the compensation of certain county officers in the County of Los Angeles—having the same under consideration, would report the same back with amendments, and recommend its passage as amended.

LARKIN, Chairman.

GENERAL FILE.

Senate Bill No. 241—An Act amendatory of and supplemental to an Act entitled an Act to prevent hunting and shooting on private grounds in the Counties of Alameda and San Mateo.

Amended by inserting in section one the Counties of Contra Costa, Napa, Sonoma, Siskiyou, Placer, Colusa, and San Francisco.

Also, amended by striking out twenty-five dollars and inserting in lieu thereof ten dollars and ten cents.

Rules suspended, bill considered engrossed, read a third time and passed.

Pursuant to notice, Mr. Duffy moved to reconsider the vote by which the Senate on yesterday passed Assembly Bill No. 162.

Upon the motion to reconsider the vote, the ayes and noes were demanded by Messrs. Pendegast, Wand, and Duffy, and the Senate refused by the following vote:

AYES—Messrs. Banvard, Duffy, Farley, Irwin, McMurry, Minis, O'Connor, Oulton, Pendegast, Tompkins, Turner, Wand, and Wilson—13.

NOES—Messrs. Andross, Boggs, Boucher, Comte, Crane, De Haven, Dyer, Evans, Garratt, Goodale, Gwin, Hutchings, Kent, McCoy, McKusick, Neff, Perkins, Van Ness, and Wing—19.

RESOLUTION.

Mr. Evans had leave to introduce the following resolution:

Resolved, That when the Senate does this day adjourn it will adjourn to meet on Monday, February nineteenth, eighteen hundred and seventy-two, at two o'clock and thirty minutes P. M.

Adopted.

GENERAL FILE RESUMED.

Senate Bill No. 258—An Act to change the name of the Front street, Mission, and Ocean Railroad Company.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 261—An Act amendatory of an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to open and grade Market street, in said city, from the intersection of said street with Valencia street to its intersection with Seventeenth street, and to condemn private property for the roadway of said street, etc.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 260—An Act to facilitate and increase the collection of State and county and municipal licenses in the City and County of San Francisco.

Amendments reported by delegation adopted. Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 263—An Act to provide for the erection of a school house in Modesto School District, in the County of Stanislaus.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 267—An Act to regulate the salary of the County Treasurer of Stanislaus County.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Joint Resolution No. 3—Relative to treaty regulations and discouraging of Chinese immigration.

Read a third time, and upon the adoption of the resolution the ayes

and noes were demanded by Messrs. Irwin, O'Connor, and Farley, and the Senate so ordered by the following vote:

Ayes—Messrs. Banvard, Beck, Boucher, Crane, Duffy, Dyer, Farley, Fowler, Gwin, Hutchings, Irwin, McMurry, Minis, Neff, O'Connor, Oulton, Turner, Tuttle, Wand, Wilson, and Wing—21.
Noes—Messrs. Andross and Goodale—2.

Senate Joint Resolution No. 3—Relative to requesting Congress to raise weight of United States coin.
Laid on the table.
Assembly Concurrent Resolution No. 11—Relative to establishment of steamer mail service on Southern coast.
Laid on the table.
Memorial—Requesting relief of settlers on Suscol Rancho.
Read a third time and adopted.
Senate Concurrent Resolution No. 8—In respect to turning San Diego River.
Read a third time and adopted.
[Mr. Pendegast in the chair.]

REPORTS.

Reports were made as follows:

By Mr. Tuttle:

Mr. President: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 153—An Act appropriating money to pay the contingent expenses of the Revision Commission.

TUTTLE, for Committee.

By Mr. Farley:

Mr. President: Your joint committee on the translation of the laws into the Spanish language beg leave to report that on Monday, the fifth day of February, eighteen hundred and seventy-two, they met at the office of the Secretary of State in order to receive bids for the translation of the laws and public documents of the State of California during the nineteenth session of the Legislature, and that after an examination as to the qualifications of all the bidders present, your committee, on the fifteenth day of February, eighteen hundred and seventy-two, being satisfied as to the competency of Thomas R. Eldredge, they have awarded the contract to him for translating the said laws into the Spanish language, at the rate of eighteen cents per folio.

LUTTRELL,
Chairman Assembly Committee.
FARLEY,
Chairman Senate Committee.

FURTHER INTRODUCTION OF BILLS.

Mr. Beck had leave to introduce the following bill—An Act to amend an Act entitled an Act to protect agriculture and to prevent the tres-

passing of animals upon private property in the County of Los Angeles, the County of San Diego, and parts of Monterey County.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

REPORTS.

Reports were made as follows:

By Mr. Hutchings:

Mr. PRESIDENT: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 106—An Act creating a Board of Education for the City of Los Angeles, and authorizing the Common Council of that city to issue bonds for a special school building fund—and have presented the same to the Governor for his signature, this day at eleven o'clock and fifty minutes A. M.

HUTCHINGS, Chairman.

Mr. PRESIDENT: The Committee on Enrollment most respectfully report that they have examined and find correctly enrolled Senate Bill No. 121—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Also, Senate Bill No. 198—An Act to provide for the payment of certain claims against Lake County.

Also, Senate Bill No. 230—An Act to furnish arms for the use of military academies in the State.

Also, Senate Bill No. 211—An Act to amend an Act entitled an Act to promote agriculture, approved March twenty-sixth, eighteen hundred and sixty-six.

And have presented the same to the Governor for his signature, this day at eleven o'clock and fifty minutes A. M.

HUTCHINGS, Chairman.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
February 17th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this seventeenth day of February, concurred in Senate Concurrent Resolution No. 32—Relative to payment of services as clerk to Owen Thorne, for Committee on Hospitals.

Also, on the same day, concurred in Senate amendment to Assembly Bill No. 5—An Act to repeal an Act entitled an Act to protect litigants, approved March twenty ninth, eighteen hundred and seventy.

DIXON, Assistant Clerk.

At one o'clock and forty minutes P. M., on motion of Mr. Finney, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Monday, February 19th, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of Saturday read and approved.

LEAVE OF ABSENCE.

Mr. Dyer was granted leave of absence for one day.

PETITIONS.

Petitions were presented as follows:

By Mr. Keys—From citizens of Stanislaus County, for the passage of a law authorizing said county to aid the Tuolumne Water Company.
Read and referred to the Committee on Agriculture.
By Mr. Finney—From citizens of California, for an amendment to the school law, so as to allow colored children to attend the public schools.
Laid on the table.

REPORTS.

Reports were made as follows:

By Mr. Banvard:

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 222—An Act to pay for services in the State Armory—having had the same under consideration, herewith report it back, and recommend that it do not pass.

Also, substitute for Assembly Bill No. 234—An Act to regulate the interest on money, and recommend its reference to the Committee on Judiciary.

BANVARD, Chairman.

By Mr. McMurry:

MR. PRESIDENT: The Committee on Contingent Expenses having had under consideration the following resolutions, report as follows:

A resolution allowing E. F. Boyle back pay as Porter; also, a resolution allowing George Bingham pay for raising the flag during the eigh-

teenth session of the Legislature—herewith report them back, with the recommendation that they do not pass.

Also, a resolution appointing D. P. Fenton Assistant Journal Clerk, and report the same back with an amendment, and recommend that it pass as amended.

Also, a resolution allowing C. E. Spencer pay for the *Sacramento Record* furnished to Senators at the eighteenth session of the Legislature—herewith report the same back and recommend that it pass.

McMURRY, Chairman.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 227—An Act to amend an Act entitled an Act to regulate the interest of money, passed March thirteenth, eighteen hundred and fifty.

Also, Senate Bill No. 140—An Act to amend an Act entitled an Act for the protection of game, approved May thirteenth, eighteen hundred and fifty-four.

Also, Senate Bill No. 144—An Act respecting the limitation of actions.

Also, Senate Bill No. 99—An Act concerning corporations.

Also, Senate Bill No. 207—An Act to amend an Act entitled an Act to abolish the office of Public Administrator in the Counties of Tuolumne and Santa Barbara, approved April eighteenth, eighteen hundred and fifty-nine.

TUTTLE, for Committee.

By Mr. Hutchings:

Mr. PRESIDENT: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 171—An Act declaring the San Joaquin River and the Stockton Slough navigable from and to certain points herein named—and presented the same to the Governor for his signature, this day at two o'clock and fifty minutes P. M.

HUTCHINGS.

Mr. Tuttle verbally reported Assembly Bill No. 288, and recommended its passage.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Hutchings—An Act to amend an Act to define the duties and liabilities of pawnbrokers and pledgees, approved April seventeenth, eighteen hundred and sixty-one, and for the management of the affairs thereof.

Read first and second times and referred to the Judiciary Committee.

By Mr. Van Ness—An Act to amend an Act entitled an Act to fix the compensation of officers, to provide for funding the floating debt of the County of Santa Barbara, and prohibit the contracting of any new indebtedness against said county, approved April fourth, eighteen hundred and sixty-four.

Read first and second times and referred to Committee on State and County Revenue.

By Mr. Turner—An Act supplemental to an Act entitled an Act for

the maintenance of public roads and trails in the County of Sierra, approved February ninth, eighteen hundred and sixty-six.

Read first and second times and ordered on file.

By Mr. Tuttle—An Act entitled an Act amendatory of and supplementary to an Act to aid the construction of the Central Pacific Railroad, and to secure the use of the same to the State for military and other purposes, and other matters relating thereto.

Read first and second times and referred to Finance Committee.

By Mr. Wing—An Act to amend an Act entitled an Act to provide for the construction and maintenance of tollroads within the State of California, approved April fourth, eighteen hundred and seventy.

Read first and second times and referred to the Committee on Corporations.

By Mr. Wing—An Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act concerning roads and highways in the County of Tuolumne, approved February twenty-seventh, eighteen hundred and sixty-six, approved April second, eighteen hundred and seventy.

Read first and second times and ordered on file.

By Mr. Andross—An Act to amend an Act entitled an Act to provide for redeeming and paying the warrants outstanding against Tuolumne County, and for paying the current expenses of said county in cash, and defining and limiting the powers and duties of certain officers in relation thereto.

Read first and second times and ordered on file.

MOTIONS, RESOLUTIONS, AND NOTICES.

On motion of Mr. Tuttle, Senate Joint Resolution No. 3—Relative to requesting Congress to raise the weight of United States coin—was taken from the table.

Mr. Tuttle offered a substitute for the resolution, which was adopted.

By Mr. Finney:

Resolved, That the special committee appointed by the Senate to investigate the cause of the disappearance of Assembly Bill No. 238, granting lands in Yosemite Valley to certain persons, be and are hereby authorized to employ a clerk, at a per diem of five ($5) dollars, payable out of the Contingent Fund of the Senate.

Rules suspended and resolution adopted.

By Mr. Van Ness:

Resolved, That the Engrossing Clerk of the Senate, under the direction of the Committee on Engrossment, be and is hereby directed to change the word "by," being the first word on the third line of page twelve, to the word "to," in the engrossed copy of Senate Bill No. 107—An Act to reincorporate the Town of San Luis Obispo.

Adopted.

By Mr. Turner:

Senate Concurrent Resolution—Relative to the appointment of a

special committee to ascertain, as far as possible, the present condition of the lands belonging to the State and other matters relating thereto.

Adopted.

On motion of Mr. Evans, Senate Bill No. 103—An Act to provide for the assessment of encumbered real estate and all bills relating thereto—and Senate Bill No. 9—An Act to repeal an Act entitled an Act to prevent double taxation, approved April first, eighteen hundred and seventy—were referred to the Judiciary Committee.

By Mr. Betge:

Resolved, That the special order made for Thursday, February twenty-second, at one o'clock P. M., is hereby discharged, and Senate Concurrent Resolution No. 5 is hereby ordered to be placed on top of the file for to-morrow.

REPORT.

Mr. Maclay verbally reported Senate Bill No. 257—An Act to provide for the opening and improvement of Santa Clara and Saratoga Avenue in the County of Santa Clara—and recommended its passage.

On motion of Mr. Maclay, the rules were suspended for the consideration of Senate Bill No. 257, above reported.

The rules were further suspended, bill considered engrossed, read a third time and passed.

GENERAL FILE.

Senate Bill No. 73—An Act fixing the compensation of Sheriffs of the several counties of this State.

Read a third time and passed.

Senate Bill No. 197—An Act to amend an Act entitled an Act to restrict the herding of sheep, approved May eighteenth, eighteen hundred and sixty-one.

Read a third time and passed.

Senate Bill No. 195—An Act amending an Act entitled an Act to restrict the herding of sheep, approved May eighteenth, eighteen hundred and sixty one.

Read a third time and passed.

Assembly Bill No. 194—An Act concerning the compensation of certain county officers in the County of Los Angeles.

Amendments reported by the committee adopted, bill read a third time and passed.

Senate Bill No. 270—An Act to amend an Act to prevent the destruction of fish in the waters of Napa River and Sonoma Creek.

Recommitted to the Napa and Sonoma delegations.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
February 19th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the

Assembly, on the eighth instant, passed Assembly Bill No. 321—An Act to reincorporate the Town of Santa Clara.

Also, on the same day, passed Assembly Bill No. 327—An Act to amend an Act entitled an Act to provide for the assessment and collection of taxes in the County of Placer, approved March second, eighteen hundred and seventy.

Also, on the twelfth instant, passed Assembly Bill No. 218—An Act to create the County of Ventura, to establish the boundaries thereof, and to provide for its organization.

Also, on the same day, passed Assembly Bill No. 319—An Act to prevent hogs from running at large in the Town of Shasta.

Also, on the same day, passed Assembly Joint Resolution No. 24—In reference to a mail route from Red Bluff, etc.

Also, on the thirteenth instant, passed Assembly No. 216—An Act for the relief of Anna Virginia Wakeman.

Also, on the same day, passed substitute to Assembly Bill No. 233—An Act to provide for the payment of certain equitable claims of J. M. Hutchings, A. J. Black, and J. C. Lamon, settlers in the Yosemite Valley.

Also, on the same day, passed Assembly Bill No. 244—An Act for the relief of James R. Travers.

Also, on the same day, passed Assembly Bill No. 303—An Act to authorize the City of Vallejo to borrow money.

Also, on the thirteenth instant, passed Assembly Bill No. 262—An Act supplementary to an Act entitled an Act providing for an Attorney and Counselor in and for the City and County of San Francisco.

And on this nineteenth day of February, passed Senate Bill No. 108—An Act to authorize the Board of Trustees of Woodland School District, in the County of Yolo, to borrow money for certain purposes and provide for the payment of the same.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 321, above reported, read first and second times and referred to the Santa Clara delegation.

Assembly Bill No. 327, above reported, read first and second times, rules suspended, bill read a third time and passed.

Assembly Bill No. 218, above reported, read first and second times and referred to the Committee on County and County Boundaries.

Assembly Bill No. 319, above reported, read first and second times and ordered on file.

Assembly Bill No. 216, above reported, read first and second times and referred to the Committee on Claims.

Assembly Bill No. 233, above reported, read first and second times and referred to the Finance Committee.

Assembly Bill No. 244, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 303, above reported, read first and second times and referred to the Committee on Corporations.

Assembly Bill No. 262, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Joint Resolution No. 24, above reported, read first and second times, rules suspended, resolution read a third time and adopted.

At four o'clock and five minutes P. M., on motion of Mr. Oulton, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Tuesday, February 20th, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

PETITION.

Mr. Fairey presented a petition for the passage of Senate Bill No. 145.
Temporarily laid on the table.

REPORTS.

Reports were made as follows:

By Mr. McMurry:

Mr. PRESIDENT: The Committee on Contingent Expenses, to whom was referred Assembly Bill No. 86—An Act supplementary to and supplementary to an Act entitled an Act fixing the number of officers and employés of the Senate and Assembly, to define their duties and establish their pay, approved May twentieth, eighteen hundred and sixty-one—have had the same under consideration, and herewith report it back and recommend its passage.

McMURRY, Chairman.

By Mr. Larkin:

Mr. PRESIDENT: The Committee on State and County Revenue, to whom was referred Assembly Bill No. 135, having had the same under consideration, have amended the same, and would report it back and recommend its passage as amended.

Also, Senate Bill No. 252—An Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one.

Also, Assembly Bill No. 240—An Act fixing the salary of the District Attorney of Lassen County.

Would report the same back and recommend their passage.

LARKIN, Chairman.

By Mr. Banvard:

Mr. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 226—An Act to continue the Geological Survey of the State of California—have had the same under consideration, and herewith return the same and recommend its passage.

BANVARD, Chairman.

By Mr. Evans:

Mr. PRESIDENT: The Committee on Military Affairs, to whom was referred Assembly Bill No. 227—An Act for the relief of the California volunteer officers and sailors of the United States Navy who have honorably served within the State of California—report the same back to the Senate, with a recommendation that it be referred to the Committee on Claims.

EVANS, Chairman.

By Mr. Tompkins:

Mr. PRESIDENT: The Committee on Judiciary have had under consideration Assembly Bill No. 241—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Also, Assembly substitute for Assembly Bill No. 202—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Also, Senate Bill No. 247—An Act to amend an Act entitled an Act to regulate fees and salaries of officers, and defining their duties, in the County of El Dorado, and other matters relating thereto, approved March fifth, eighteen hundred and seventy.

And report the same back and recommend the passage of the several bills.

Also, had under consideration Assembly Bill No. 152—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice of this State, passed April twenty-ninth, eighteen hundred and seventy.

Also, Senate Bill No. 235—An Act to amend an Act entitled an Act relating to criminal prosecutions, approved April second, eighteen hundred and sixty-six.

And report the same back with an amendment to each bill, and recommend the adoption of the several amendments and the passage of the several bills as amended.

Also, had under consideration Senate Bill No. 66—An Act for the relief of the sufferers from the diversion of the American River—and report the same back with a substitute therefor prepared and offered by the friends of the measure.

Your committee recommend the adoption of the substitute in the place of the original bill, but make no recommendation as to its merits or its passage, as the committee are divided in opinion thereon.

Also, Assembly Bill No. 219—An Act authorizing certain persons to improve a portion of King's River, and to erect booms therein.

Your committee have heard the applicants for the franchise intended to be conferred by this bill, and also all the testimony offered in support of the application. It is intended by this bill to confer upon the per-

sons named therein an exclusive right for the term of twenty years to the use of the waters of King's River, in Fresno County, for at least sixty-five miles upon the course of the river, with the right to construct thereupon, at a certain point, a boom or booms, and to collect toll upon all lumber and other material floated down the stream. But the effect of the passage of the bill would go further than this; it would exclude every other person than the beneficiaries of the bill from the right to appropriate, above the position of the boom, any portion of the waters of the river which would tend to lessen the volume of the same, and thus wholly prevent, for twenty years, their use for any mechanical, agricultural, or other useful purpose, by any other person than those named in the bill; and may have the effect to place in their hands the virtual control of all the lands lying along and adjacent to the course of the river from the boom to its source.

This may work no special hardship at present to anyone, but as the adjacent county becomes settled, as we are informed it promises to be, in a few years, it may prove very injurious and inimical to other and more important interests which spring up with the growth of a community. Exclusive rights, such as the present, may prove primarily beneficial to a few, but the general result is that they grow odious and oppressive to the many.

In any view your committee may take of the matter, it appears to them that the passage of the bill would prove injurious to the public interest, and therefore report the same back and recommend that it do not pass.

Also, had under consideration Assembly Bill No. 275—An Act authorizing the Secretary of State to furnish the Counties of Alpine, Inyo, Kern, Lake, Mono, and Sutter with certain volumes of the California Supreme Court Reports.

The Secretary of State has not in his custody, belonging to the State, a sufficient number of the Supreme Court Reports to supply those counties with the desired number, and as the bill calls for the purchase of the same, amounting to two hundred and ninety eight volumes, involving an expenditure of seventeen hundred and eighty-eight ($1,788) dollars, your committee do not think the necessities of the case warrant such expenditure, and therefore report the bill back and recommend that it do not pass.

TOMPKINS, Chairman.

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 212—An Act to incorporate the Town of Alameda.

Also, Senate Bill No. 228—An Act to provide for deficiencies in the funds of the school districts of Contra Costa County.

Also, Senate Bill No. 231—An Act to more fully define the crime of larceny.

NEFF, for Committee.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. O'Connor—An Act in relation to the registration of voters.

Read first and second times and referred to the Committee on Elections.

By Mr. Betge—An Act to repeal section two of an Act to regulate the

rates of fare and paving on certain street railroads in the City and County of San Francisco, approved April second, eighteen hundred and sixty six.

Read first and second times and referred to the Committee on Corporations.

By Mr. McKusick—An Act to amend an Act entitled an Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to the town lands granted to the unincorporated towns in this State by the Act of Congress entitled an Act for the relief of the inhabitants of cities and towns upon the public lands, approved March second, eighteen hundred and sixty-seven, approved March thirtieth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Committee on Public Lands.

By Mr. Oulton—An Act repealing Article IV of an Act entitled an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved the nineteenth day of April, eighteen hundred and fifty-six, and all Acts and parts of Acts amendatory and supplementary thereof, and substituting this Act for said Article IV.

Read first and second times and referred to the San Francisco delegation.

By Mr. Tompkins—An Act amendatory of and supplemental to an Act entitled an Act to provide for the restoration and preservation of fish in the waters of this State, approved April second, eighteen hundred and seventy.

Read first and second times and referred to the Committee on Agriculture.

RESOLUTION.

Mr. Keys offered the following resolution:

Resolved, That His Excellency the Governor be requested to return to the Senate Senate Bill No. 211, for the purpose of correcting a clerical error.

Adopted.

REPORT.

Mr. Pendegast, from the committee of conference on the part of the Senate on the disagreeing vote of the two Houses upon Senate amendment to Senate Bill No. 53, verbally reported and recommended that the Senate recede from its amendment.

On motion of Mr. Larkin, the recommendation of the committee was adopted.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
February 20th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the thirteenth of February, passed the following bills:

Assembly Bill No. 277—An Act to prevent hunting and shooting on private grounds.

Assembly Bill No. 363—An Act to provide for the construction and protection of the Alameda road.

Assembly Bill No. 292—An Act to prevent the propagation of Scotch or Canada thistles in the Counties of Humboldt, Siskiyou, Klamath, Del Norte, and Alameda.

Assembly Bill No. 352—An Act to amend an Act entitled an Act to provide for the payment of warrants against the Hospital Fund of Klamath County, approved January nineteenth, eighteen hundred and seventy.

Assembly Bill No. 355—An Act to amend an Act entitled an Act to provide for the maintenance of the indigent sick in certain townships therein named in Siskiyou County, passed March twenty-fourth, eighteen hundred and seventy.

On the fourteenth instant, passed Assembly Bill No. 223—An Act granting to the counties of this State the poll tax collected in said counties severally, for school purposes.

Also, on same day, passed Assembly Joint Resolution No. 25—Relative to a semi-weekly mail route from Red Bluff, Tehama County, to Shasta City, Shasta County.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
February 20th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the seventeenth day of February, amended and concurred in Senate substitute for Assembly Bill No. 11—An Act to amend an Act entitled an Act to consolidate certain school districts of the Counties of El Dorado and Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three.

Also, on the nineteenth instant, concurred in Senate Concurrent Resolution No. 30—Relative to payment of expenses of Japanese Embassy reception.

Also, on the nineteenth instant, concurred in Senate Concurrent Resolution No. 33—Relative to appointment of joint committee to ascertain the position or present condition of the lands belonging to the State, etc.—and the Speaker of the Assembly has appointed Messrs. Days, Turner, and Ward as such committee, on the part of the Assembly.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
February 20th, 1872.

MR. PRESIDENT: I am directed to return to your honorable body Senate substitute for Assembly Bill No. 1, the error in same having been corrected.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 277, above reported, read first and second times and referred to the Committee on Agriculture.

Assembly Bill No. 363, above reported, read first and second times and referred to the Santa Clara delegation.

Assembly Bill No. 292, above reported, read first and second times and referred to the Committee on Agriculture.

Assembly Bill No. 352, above reported, read first and second times and referred to the Klamath delegation.

Assembly Bill No. 355, above reported, read first and second times and referred to the Siskiyou delegation.

Assembly Bill No. 223, above reported, read first and second times and referred to the Committee on State and County Revenue.

Substitute for Assembly Bill No. 4, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Joint Resolution No. 25, above reported, read first and second times, rules suspended, resolution read a third time and adopted.

On motion of Mr. Larkin, Rule Nineteen of the Standing Rules was suspended for the purpose of allowing the President to appoint the special committee on the part of the Senate upon Senate Concurrent Resolution No. 33—Relative to ascertaining the present condition of the lands belonging to the State.

[President pro tem in the chair.]

SPECIAL ORDER.

At eleven o'clock and forty minutes A. M. the Senate took up consideration of special order.

Senate Bill No. 204—An Act in relation to the removal of the county seat of Alameda County.

Pending the consideration of said bill, the time for the consideration of Senate Bill No. 145 having arrived, the same was postponed until the bill under consideration was disposed of.

Mr. Larkin presented a remonstrance from the members of the Board of Supervisors of Alameda County against the passage of Senate Bill No. 204.

Upon ordering the bill engrossed, the ayes and noes were demanded by Messrs. Evans, Larkin, and Kent, and the Senate so ordered by the following vote:

AYES—Messrs. Crane, De Haven, Duffy, Finney, Garratt, Goodale, Gwin, Hutchings, Irwin, Keys, McKusick, McMurry, Neff, Oulton, Pendegast, Perkins, Tompkins, Turner, and Wilson—19.

NOES—Messrs. Andross, Banvard, Betge, Boggs, Boucher, Dyer, Evans, Farley, Fowler, Kent, Larkin, Mackay, McCoy, Minis, O'Connor, Van Ness, Wand, and Wing—18.

Senate Bill No. 145—An Act amendatory of and supplementary to an Act entitled an Act to amend an Act to provide a system of common schools, approved April fourth, eighteen hundred and seventy.

Made the special order for to-morrow, at twelve o'clock M.

GENERAL FILE.

Senate Joint Resolution No. 5—Requesting Congress not to allow reduction of duty on chiccory flour.

Ordered at top of file for Tuesday next.

Senate Bill No. 140—An Act to amend an Act entitled an Act for the protection of game, approved May thirteenth, eighteen hundred and fifty-four.

Read a third time and passed.

Assembly Bill No. 288—An Act to incorporate the Town of Cloverdale, Sonoma County, California.

Read a third time and passed.

REPORTS.

Reports were made as follows:

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 44—An Act to create the Nineteenth Judicial District.

NEFF, for Committee.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 277—An Act to amend an Act entitled an Act to protect agriculture, and to prevent the trespassing of animals upon private property in the County of Los Angeles, and in the County of San Diego, and parts of Monterey County, approved February fourteenth, eighteen hundred and seventy-two.

TUTTLE, for Committee.

GENERAL FILE RESUMED.

Assembly Bill No. 257—An Act to prevent hogs running at large in the Town of Shasta.

Read a third time and passed.

Senate Bill No. 222—An Act to pay for services rendered in the State Armory.

Passed on file.

Senate Bill No. 283—An Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act concerning roads and highways in the County of Tuolumne.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 284—An Act to amend an Act entitled an Act to provide for redeeming and paying the warrants outstanding against Tuolumne County, and for paying the current expenses, etc.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 280—An Act supplemental to an Act entitled an Act for the maintenance of public roads and trails in the County of Sierra.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Resolution—Relative to payment of E. F. Boyle, back pay as Porter.

Indefinitely postponed.

Senate Resolution—Relative to payment of *Sacramento Record*.
Adopted.
Senate Resolution—Relative to payment of George Bingham for hoisting flag.
Indefinitely postponed.
Senate Resolution—Relative to Assistant Journal Clerk.
Amendment reported by the committee adopted, and resolution adopted as amended.

RESOLUTIONS.

By Mr. Neff:

Resolved, That when the Senate adjourn on Wednesday, the twenty-first instant, it adjourn to meet again on Friday, the twenty-third instant, at half past two o'clock P. M., out of respect to the twenty-second of February, the anniversary of the birthday of the immortal Washington.

Mr. Fowler offered the following substitute:

WHEREAS, The twenty-second day of February is cherished, not only by all true Americans but by the patriots of all nations, as the anniversary of the "Father of his Country," the illustrious George Washington; therefore, out of respect to his memory, be it
Resolved by the Senate, the Assembly concurring, That when the two houses adjourn on Wednesday, the twenty first instant, that they adjourn to meet again on Monday, the twenty-sixth instant, at half past two o'clock P. M.

Upon the adoption of the substitute the ayes and noes were demanded by Messrs. Waud, Larkin, and Wing, and the Senate refused by the following vote:

AYES—Messrs. Betge, Duffy, Farley, Fowler, Garratt, Gwin, Hutchings, Maclay, McMurry, Perkins, and Wing—11.
NOES—Messrs. Banvard, Beck, Boucher, Crane, Finney, Goodale, Keys, Larkin, McCoy, McKusick, Minis, Neff, O'Connor, Oulton, Pendegast, Tompkins, Turner, Tuttle, Waud, and Wilson—20.

The resolution, as introduced by Mr. Neff, was adopted.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
February 20th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the sixteenth day of February, passed Assembly Bill No. 373—An Act supplementary to an Act entitled an Act concerning roads and highways in the Counties of Trinity and Shasta, approved March twenty-eighth, eighteen hundred and sixty-three.
Also, on the same day, passed Assembly Bill No. 380—An Act concerning roads and highways in the County of El Dorado.
Also, on the same day, passed Assembly Bill No. 381—An Act to pro-

vide for the building of a bridge across Alameda Creek, in the County of Alameda.

Also, on the seventeenth day of February, passed Assembly Bill No. 396—An Act to authorize the Board of Supervisors of Los Angeles County to locate and build bridges across the Los Angeles River, and the New San Gabriel and the Old San Gabriel Rivers, in Los Angeles County, and to issue bonds for the payment thereof.

Also, on the same day, passed Assembly Bill No. 377—An Act to authorize the Board of Supervisors of the City and County of San Francisco to sell and convey a certain piece of land composing the Cemetery Avenue and the Triangular Plaza, reserved by the Outside Land Committee up to the Cemetery Avenue, and for other purposes.

Also, on the same day, passed substitute for Assembly Bill No. 300—An Act to regulate the fees of the County Clerk of Santa Clara County.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
February 20th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this twentieth day of February, passed Assembly Bill No. 266—An Act to amend an Act entitled an Act concerning divorces, passed April twenty-fifth, eighteen hundred and fifty-one.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
February 20th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this twentieth day of February, passed Assembly Bill No. 186—An Act amendatory of and supplementary to an Act approved April twenty fifth, eighteen hundred and sixty three, entitled an Act to incorporate the City of Sacramento.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
February 20th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this twentieth day of February, adopted Assembly Concurrent Resolution No. 20—Relative to correction of an error in Assembly Bill No. 110—and respectfully ask the concurrence of the Senate.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 186, above reported, read first and second times and referred to the Sacramento delegation.

Assembly Concurrent Resolution No. 20, above reported, read and adopted.

Assembly Bill No. 266, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 373, above reported, read first and second times and referred to the delegation.

Assembly Bill No. 380, above reported, read first and second times and referred to the El Dorado delegation.

Assembly Bill No. 381, above reported, read first and second times and referred to the Alameda delegation.

Assembly Bill No. 396, above reported, read first and second times and referred to the Committee on Agriculture.

Assembly Bill No. 377, above reported, read first and second times and referred to the San Francisco delegation.

Substitute for Assembly Bill No. 300, above reported, read first and second times and referred to the Santa Clara delegation.

Assembly Bill No. 11, heretofore reported from the Assembly, referred to the El Dorado and Sacramento delegations.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 20th, 1872.

To the Senate of the State of California:

I herewith return to your honorable body, in accordance with your resolution of this date, Senate Bill No. 211—An Act to amend an Act entitled an Act to promote agriculture, approved March twenty sixth, eighteen hundred and sixty-six—for the purpose of correcting a clerical error.

NEWTON BOOTH, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 20th, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 230—An Act to furnish arms for the use of military academies in the State.

Also, Senate Bill No. 48—An Act prescribing certain duties to be performed by the State Controller, State Treasurer, and State Board of Examiners.

Also, Senate Bill No. 41—An Act for the relief of James M. Kane.

Also, Senate Bill No. 112—An Act to incorporate the Town of Wilmington, in the County of Los Angeles, in the State of California.

Also, Senate Bill No. 198—An Act to provide for the payment of certain claims against Lake County.

NEWTON BOOTH, Governor.

At three o'clock and fifty-five minutes P. M., on motion of Mr. Oulton, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Wednesday, February 21st, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Mr. Neff was granted leave of absence for one day.

COMMUNICATION.

The President of the Senate presented a communication from the California Silk Manufacturing Company.
Referred to the Committee on Agriculture.

PETITION.

Mr. Keys presented a petition from citizens of Stanislaus County against the passage of a bill in aid of the Tuolumne Water Company.
Referred to the Committee on Agriculture.

REPORTS.

The following reports were made:

By Mr. Oulton:

Mr. PRESIDENT: The Committee on Finance have had under consideration Senate Bill No. 281—An Act amendatory of and supplementary to an Act to aid the construction of the Central Pacific Railroad and to secure the use of the same to this State for military and other purposes, and other matters relating thereto—and report the same back and recommend that it do not pass.

The only change that said Act would make in the law, as it now stands, would be to transfer the surplus arising from the tax of eight cents on each one hundred dollars of taxable property of the State, for payment of interest on railroad bonds, from the Pacific Railroad Fund to the School Fund instead of the General Fund, as now provided. The result of this change would be to require an increase of the tax for the support of the General Fund of at least three cents on each one hundred dollars of taxable property of the State, as the General Fund has no surplus revenue under existing law. If the revenues of the School Fund require to be increased, such increase should be made by the levy of a tax for that purpose.

An additional reason against the passage of this amendatory Act may be found in the law which it seeks to amend, in the provision contained in said Act to the effect that any deficiency in the said Pacific Railroad

Fund shall be paid out of the General Fund. If deficiencies are to be paid out of the General Fund, it is certainly proper that any surplus in the Pacific Railroad Fund should be transferred to the Fund out of which such deficiencies are to be paid.

OULTON, for Committee.

By Mr. Wilson:

Mr. PRESIDENT: Your Committee on Agriculture, to whom was referred Senate Bill No. 200—An Act concerning estrays in the Counties of Santa Barbara and San Luis Obispo—have had the same under careful consideration, and report the same back with a substitute, and recommend the passage of the substitute.

WILSON, Chairman.

By Mr. Hutchings:

Mr. PRESIDENT: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 108—An Act to authorize the Board of Trustees of Woodland District, in the County of Yolo, to borrow money for certain purposes and provide for the payment of the same.

Also, Senate Bill No. 136—An Act concerning roads in the Counties of Santa Barbara and San Luis Obispo.

And have presented the same to the Governor, this day at eleven o'clock and twenty minutes A. M.

HUTCHINGS, Chairman.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly enrolled Senate Bill No. 267—An Act to regulate the salary of the County Treasurer of Stanislaus County.

Also, Senate Concurrent Resolution No. 8—In respect to turning San Diego River.

Also, Senate Bill No. 261—An Act amendatory of an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to open and grade Market street, in said city, from the intersection of said street with Valencia street to its intersection with Seventeenth street, and to condemn private property for the roadway of said street, approved April second, eighteen hundred and seventy.

Also, Senate Bill No. 258—An Act to change the name of the Front street, Mission, and Ocean Railroad Company.

Also, Senate Bill No. 276—An Act to authorize the Board of Supervisors of the County of Amador to levy an additional tax for county expenditures in said county.

Also, Senate Bill No. 241—An Act amendatory of and supplemental to an Act entitled an Act to prevent hunting and shooting on private grounds in the Counties of Alameda and San Mateo, approved March twenty-first, eighteen hundred and seventy.

TUTTLE, for Committee.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Education have considered Senate Bill No. 80—An Act to fix the salary of the Superintendent of Public

Schools in the County of Monterey—report the same back with amendments, and recommend its passage as amended.

TUTTLE, Chairman.

Mr. Perkins, from the special committee to examine into the matter of the Indian war indebtedness, made a report, the reading of which was dispensed with, and four hundred and eighty copies ordered printed.

INTRODUCTION OF BILL.

By Mr. Keys—An Act to amend an Act entitled an Act to protect agriculture and to prevent the trespassing of animals upon private property, approved March twenty-sixth, eighteen hundred and sixty-six.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

REPORTS.

The following reports were made:

By Mr. Wand:

Mr. PRESIDENT: The San Francisco delegation have had the following bill under consideration, and report the same back as follows: Substitute for Assembly Bill No. 1—An Act supplemental and amendatory of an Act entitled an Act to make, open, and establish a public street in the City and County of San Francisco, to be called Montgomery Avenue, and to take private lands therefor, approved March twenty-ninth, eighteen hundred and seventy—reported with recommendation that the Assembly amendments be concurred in and passage recommended as amended.

WAND, for Delegation.

By Mr. Irwin:

Mr. PRESIDENT: The delegation from Siskiyou County, to whom was referred Assembly Bill No. 355—An Act to amend an Act entitled an Act to provide for the maintenance of the indigent sick in certain townships therein named in Siskiyou County, passed March twenty-fourth, eighteen hundred and seventy—has had the same under consideration and now reports it back, with the recommendation that it do pass.

IRWIN, for Delegation.

On motion of Mr. Irwin, the rules were suspended, and Assembly Bill No. 355, above reported, was read a third time and passed.

Mr. Maclay verbally reported substitute for Assembly Bill No. 300, and recommended its passage.

Mr. Tompkins verbally reported Assembly Bill No. 381, and recommended its passage.

On motion of Mr. Tompkins, the rules were suspended, and Assembly Bill No. 381, above reported, was read a third time and passed.

Mr. Keys verbally reported Assembly Bill No. 82, and recommended its passage.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 21st, 1872.

To the Senate of the State of California:

I herewith inclose a communication from Hon. F. Baehr, State Treasurer, to which I respectfully call the attention of your honorable body, and ask that the same be transmitted to the Assembly.

NEWTON BOOTH, Governor.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
February 21st, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the seventeenth day of February, passed Substitute for Assembly Bill No. 371—An Act relating to the Board of Supervisors of the County of Sacramento, and more particularly defining its powers and duties.

Also, on same day, passed Substitute for Assembly Bill No. 13—An Act supplementary to an Act to repeal the several charters of the City of San Francisco, and establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved April nineteenth, eighteen hundred and fifty-six, and the Acts amendatory thereof and supplemental thereto.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Substitute for Assembly Bill No. 371, above reported, read first and second times and referred to the Sacramento delegation.

Substitute for Assembly Bill No. 13, above reported, read first and second times and referred to the San Francisco delegation and ordered printed.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Maclay—An Act entitled an Act for the relief of Joseph S. Emery.

Read first and second times and referred to the Committee on Claims.

By Mr. Keys—An Act to prevent trespasses upon cultivated fields in Fresno County.

Read first and second times and referred to the Committee on Agriculture.

By Mr. Wand—An Act to authorize the Board of Supervisors of the City and County of San Francisco to aid in the erection and construction of water works, for the supply and distribution of fresh water to the inhabitants of said city and county, and other matters relating thereto.

Read first and second times, and referred to the San Francisco delegation and ordered printed.

By Mr. O'Connor—An Act to provide a Supreme Court room and apartments for the officers of the Supreme Court.

Read first and second times and referred to the Committee on Public Buildings.

By Mr. Farley—An Act for the relief of W. B. Norman and A. C. Bradford.

Read first and second times and, with accompanying certificate, referred to the Committee on Claims.

MOTIONS, RESOLUTIONS, AND NOTICES.

By Mr. Duffy:

Resolved, That the vote by which the Senate on yesterday adopted a resolution relative to adjournment be and the same is hereby reconsidered.

Adopted.

Mr. Duffy offered the following substitute for the resolution:

Resolved, That when the Senate adjourns this day that it adjourns to meet on Saturday, the twenty fourth instant, at ten o'clock A. M.

Adopted.

On motion of Mr. Comte, Senate Bill No. 66—An Act for the relief of sufferers by the diversion of the American River—was ordered at the foot of the General File for Friday, March first, and ordered printed.

On motion of Mr. Tompkins, Senate Bill No. 226—An Act to continue the geological survey of the State of California, was made the special order for Wednesday, February twenty eighth, at twelve o'clock M.

SPECIAL ORDER.

Senate Bill No. 145—An Act amendatory of and supplementary to an Act entitled an Act to amend an Act to provide a system of common schools, approved April fourth, eighteen hundred and seventy.

Mr. Larkin offered the following substitute for sections one and two of the bill:

The education of children of African descent and Indian children shall be provided for in separate schools. Upon the written application of the parents or guardians of at least ten such children to any Board of Trustees or Board of Education, a separate school shall be established for the education of such children; and the education of a less number may be provided for by the Trustees in separate schools in any other manner.

When there shall be in any district any number of children other than white children whose education can be provided for in no other way,

the Trustees may, by a majority vote and with the consent of a majority of the parents of the children attending such school, in writing, and filed with the Trustees of the district, permit such children to attend the schools for white children.

Upon the adoption of the substitute the ayes and noes were demanded by Messrs. Larkin, Finney, and Van Ness, and the Senate so ordered by the following vote:

AYES—Messrs. Banvard, Beck, Betge, Boggs, Boucher, Conte, Farley, Fowler, Gwin, Hutchings, Irwin, Keys, Larkin, McCoy, McMurry, Minis, O'Connor, Pendegast, Tuttle, Van Ness, Wand, and Wilson—22.
NOES—Messrs. Crane, De Haven, Duffy, Evans, Finney, Garratt, Goodale, Kent, McKusick, Oulton, Tompkins, Turner, and Wing—13.

At one o'clock and fifteen minutes P. M., on motion of Mr. Betge, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Saturday, February 24th, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called
Quorum present.
Prayer by the Chaplain.
Journal of Wednesday, February twenty-first, read and approved.

LEAVE OF ABSENCE.

Messrs. Farley, Boggs, Keys, Perkins, and Gwin were granted leave of absence for one day.

RESOLUTION.

Mr. Maclay had leave to introduce the following resolution:

Resolved, That when the Senate adjourns this day, it does so in honor of the memory of the late Hon. Royal T. Sprague, Justice of the Supreme Court of the State of California, whose lamented death occurred at eight o'clock this morning.

Adopted.

COMMUNICATION.

The President presented a communication from C. C. Blohm, relative to the translation of the laws.
Read and laid on the table.

REPORTS.

The following reports were made:

By Mr. Wilson:

Mr. PRESIDENT: The Los Angeles delegation, to whom was referred Assembly Bill No. 396—An Act to authorize the Board of Supervisors of Los Angeles County to locate and build bridges across the Los Angeles River, and the New San Gabriel and the Old San Gabriel Rivers, in Los Angeles County, and to issue bonds for the payment thereof—having duly considered the same, beg leave to report said bill back, and recommend its passage.

WILSON, for Delegation.

By Mr. Wilson:

Mr. PRESIDENT: Your Committee on Agriculture, to whom was referred Assembly Bill No. 292—An Act to prevent the propagation of Scotch or Canada thistles in the counties of Humboldt, Siskiyou, Klamath, Del Norte, and Alameda—have duly considered the same, and beg leave to report the bill back without recommendation, that it may be considered in Committee of the Whole, and discussed in the interest of the several counties named in the bill.

WILSON, Chairman.

On motion of Mr. Irwin, Assembly Bill No. 292, above reported, was referred to the delegations named in the bill.

By Mr. De Haven:

Mr. PRESIDENT: The Humboldt and Klamath delegation, to whom was referred Assembly Bill No. 352—An Act to amend an Act entitled an Act to provide payment of warrants against the Hospital Fund of Klamath County, approved January nineteenth, eighteen hundred and seventy—have had the same under consideration, and now report the same back, and recommend its passage.

DE HAVEN, for Delegation.

On motion of Mr. De Haven, the rules were suspended for the consideration of Assembly Bill No. 352, above reported.

Rules were further suspended, bill read a third time and passed.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 21st, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 136—An Act concerning roads in the Counties of Santa Barbara and San Luis Obispo.

Also, Senate Bill No. 87—An Act to amend an Act entitled an Act to provide for the formation of corporations for the accumulation and investment of funds and savings, approved April eleventh, eighteen hundred and sixty-two.

NEWTON BOOTH, Governor.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
February 24th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-third day of February, passed the following bills:

Assembly Bill No. 71—An Act for the relief of Presley A. Dorris.

Also, Assembly Bill No. 261—An Act to repeal an Act entitled an Act for the incorporation of the City of Anaheim, and appointing Commissioners to dispose of the property, pay the indebtedness, and settle the affairs thereof.

Also, Assembly Bill No. 282—An Act to allow certain persons therein named, and their associates and assigns, to take possession of and improve a certain road in the County of Sacramento.

Also, Assembly Bill No. 271—An Act to provide for the payment of certain fees in Butte County.

Also, Assembly Joint Resolution No. 8—Relative to asking Congress to prepare an amendment to the Constitution of the United States changing the time and place of electing United States Senators.

Also, Senate Bill No. 158—An Act to amend an Act entitled an Act to authorize the issue of bonds by the County of San Diego to erect county buildings, approved March twenty-ninth, eighteen hundred and seventy.

Also, Senate Bill No. 203—An Act fixing the compensation of the Treasurer and Assessor of Humboldt County.

Also, Senate Bill No. 210—An Act to establish a college at Santa Rosa, Sonoma County, California.

Also, Senate Bill No. 202—An Act to amend an Act entitled an Act to provide for the manner of auditing claims against Humboldt County, and to provide for the reduction, etc.

Also, Senate Bill No. 214—An Act to amend an Act entitled an Act to raise a fund for the improvement of Napa City.

Also, Senate Bill No. 10—An Act to legalize, ratify, and confirm deeds of conveyance and grants of land made by the municipal authorities of the City of San Diego.

Also, Senate Bill No. 239—An Act to provide for the care of the indigent sick in Del Norte County.

Also, Senate Bill No. 174—An Act for the relief of Michael Conniff.

Also, Assembly Bill No. 91—An Act to provide for the organization of the Legislature of this State at its regular sessions.

Also, Assembly Bill No. 281—An Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved April twenty-ninth, eighteen hundred and fifty-seven.

Also, Assembly Bill No. 338—An Act amendatory of and supplemental to an Act entitled an Act to encourage the destruction of squirrels

and gophers in certain counties of this State, and to provide a bounty therefor.

Also, Assembly Joint Resolution No. 23—Relative to making San Diego a port of entry.

Also, Senate Bill No. 182—An Act to authorize the Public Administrator of Contra Costa County to act as Coroner.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 71, above reported, read first and second times and referred to the Committee on Claims.

Assembly Bill No. 261, above reported, read first and second times and referred to the Committee on Corporations.

Assembly Bill No. 282, above reported, read first and second times and referred to the Sacramento delegation.

Assembly Bill No. 271, above reported, read first and second times and referred to the Butte delegation.

Assembly Joint Resolution No. 8, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 91, above reported, read first and second times and referred to the Committee on Contingent Expenses.

Substitute for Assembly Bill No. 281, above reported, read first and second times and referred to the Committee on State and County Revenue.

Assembly Bill No. 338, above reported, read first and second times and referred to the Committee on Agriculture.

Assembly Joint Resolution No. 23, above reported, read first and second times, rules suspended, resolution read a third time and adopted.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Finney—An Act to amend an Act entitled an Act concerning roads and highways in the County of San Mateo, approved March twenty-fifth, eighteen hundred and sixty-eight.

By Mr. Mackay—An Act to authorize the payment of Mistress Eliza McLean for supplies furnished the State Marine Hospital in the years eighteen hundred and fifty three and eighteen hundred and fifty-four.

Read first and second times and, with accompanying documents, referred to the Committee on Claims.

By Mr. Finney—An Act to provide funds for the construction and improvement of highways in the County of San Mateo.

Read first and second times and referred to the Committee on State and County Revenue.

By Mr. McMurry—An Act to fund the Indian war indebtedness of the State of California.

Read first and second times and referred to the Finance Committee.

By Mr. Minis—An Act to legalize certain proceedings of the Board of Supervisors of Yolo County.

Read first and second times and referred to the Yolo delegation.

By Mr. McCoy—An Act to appoint additional Notaries Public for the County of San Diego.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Garratt—An Act to regulate the practice of pharmacy in the City and County of San Francisco.

Read first and second times and referred to the San Francisco delegation.

By Mr. Van Ness—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty ninth, eighteen hundred and fifty one.

Read first and second times and referred to the Judiciary Committee.

Also, an Act to amend an Act entitled an Act to prevent extortion in office, and to enforce official duty, approved March fourteenth, eighteen hundred and fifty three.

Read first and second times and referred to the Judiciary Committee.

By Mr. Andross—An Act authorizing the Board of Supervisors of Tuolumne County to levy a special tax to pay certain bonds against said county.

Read first and second times and referred to the Tuolumne delegation

By Mr. Comte—An Act in relation to police officers.

Read first and second times and referred to the Judiciary Committee.

Also, an Act to amend an Act amendatory of and supplementary to an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, approved April nineteenth, eighteen hundred and fifty six.

Read first and second times and referred to the Judiciary Committee.

RESOLUTION.

By Mr. Minis:

Resolved, That S. E. Abels be and he is hereby appointed Assistant Engrossing Clerk, at the same per diem allowed to the Engrossing Clerk, payable out of the appropriation for the Contingent Fund of the Senate.

GENERAL FILE.

Assembly Bill No. 135—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Read a third time and passed.

Assembly Bill No. 86—An Act amendatory of and supplementary to an Act entitled an Act fixing the number of officers and employés of the Legislature, etc.

Read a third time and passed.

Assembly Bill No. 152—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice.

Read a third time and passed.

RESOLUTION.

Mr. Pendegast had leave to introduce the following resolution:

Resolved by the Senate, the Assembly concurring, That the Legislature will attend the funeral of the late Chief Justice Sprague in a body,

and will coöperate with the other departments of the State Government in conducting said funeral.

Adopted.

GENERAL FILE RESUMED.

Assembly Bill No. 241—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Read a third time and passed.

Assembly Bill No. 240—An Act fixing the salary of District Attorney of Lassen County.

Read a third time and passed.

Assembly Bill No. 202—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty ninth, and Acts amendatory thereof and supplementary thereto.

Read a third time and passed.

Senate substitute for Assembly Bill No. 1—An Act supplemental to and amendatory of an Act entitled an Act to make, open, and establish a public street in the City and County of San Francisco, to be called Montgomery Avenue, and to take private lands therefor, approved March twenty-ninth, eighteen hundred and seventy.

Amendments reported from the Assembly concurred in by the Senate, bill read a third time and passed.

At eleven o'clock and fifteen minutes A. M., on motion of Mr. Evans, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Monday, February 26th, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of Saturday, February twenty-fourth, read and approved.

PETITION.

Mr. Oulton presented a petition from citizens of Alpine County, against the passage of a bill for the removal of the county seat of said county.

Referred to the Amador and Alpine delegation.

REPORTS.

Reports were made as follows:

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 263—An Act to provide for the erection of a school house in Modesto School District, in the County of Stanislaus.

Also, Senate Bill No. 280—Supplemental to an Act entitled an Act for the maintenance of public roads and trails in the County of Sierra, approved February ninth, eighteen hundred and sixty-six.

Also, Senate Bill No. 283—An Act to amend an Act entitled an Act amendatory of and supplemental to an Act concerning roads and highways in the County of Tuolumne, approved February twenty-seventh, eighteen hundred and sixty-eight, approved April second, eighteen hundred and seventy.

Also, Senate Bill No. 284—An Act to amend an Act entitled an Act to provide for redeeming and paying the warrants outstanding against Tuolumne County, and for paying the current expenses of said county in cash, and defining and limiting the powers and duties of certain officers in relation thereto.

Also, Senate Bill No. 260—An Act to facilitate and increase the collection of State and county and municipal licenses in the City and County of San Francisco.

Also, Senate Joint Resolution No. 3—Relative to requesting Congress to raise the weight of silver coin.

Also, Senate Bill No. 204—An Act in relation to the removal of the county seat of Alameda County.

Also, Senate Bill No. 290—An Act to amend an Act entitled an Act to protect agriculture, and to prevent the trespassing of animals upon private property, approved March twenty-sixth, eighteen hundred and sixty-six.

NEFF, for Committee.

LEAVE OF ABSENCE.

Mr. Garratt was granted leave of absence for one day.

REPORTS RESUMED.

Mr. Neff verbally reported Senate Bill No. 257, without recommendation.

On motion of Mr. Maclay, Senate Bill No. 257, above reported, was recommitted to the Santa Clara delegation with special instructions.

By Mr. Tompkins:

Mr. PRESIDENT: The Committee on Judiciary have had under consideration Assembly Bill No. 294—An Act amendatory of and supplementary to an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one.

Also, Assembly Bill No. 278—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Also, Assembly Bill No. 151—An Act supplementary to an Act en-

titled an Act to authorize H. H. Smith and others to construct and maintain a turnpike road from Cave Valley to a point on the line of the Central Pacific Railroad, at or near Auburn Station, approved March thirty-first, eighteen hundred and sixty-six.

And report the same back with amendments to each bill, and recommend the adoption of the amendments and the passage of the several bills as amended.

Also, have had under consideration Assembly Bill No. 266—An Act to amend an Act entitled an Act concerning divorces, passed April twenty-fifth, eighteen hundred and fifty-one—and report the same back and recommend that it do not pass.

If the Senate should decide to pass the bill your committee recommend that the word "April," in the title of the bill, be changed to "March."

Also, Senate Bill No. 187—An Act authorizing the holding of special terms of the District Court in the Seventeenth Judicial District.

The passage of the bill creating the Eighteenth Judicial District renders the passage of this bill unnecessary, and your committee therefore report the same back and recommend that it do not pass.

Also, Senate Bill No. 244—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty one—and report the same back, and a majority of your committee recommend that the bill do not pass.

Your committee report back Senate Bill No. 9—An Act to repeal an Act entitled an Act to prevent double taxation, approved April first, eighteen hundred and seventy—as the same was not referred to this committee.

Also, have had under consideration Senate Bill No. 223—An Act providing for the appointment of a Phonographic Reporter in the First Judicial District—and report the same back with a substitute therefor, and recommend the adoption of the substitute and the passage of the same.

Also, Senate Bill No. 215—An Act to amend an Act entitled an Act concerning forcible entries and unlawful detainers, and to repeal all other Acts on the same subject, approved April twenty-seventh, eighteen hundred and sixty-three—and report the same back with a substitute therefor, and recommend the adoption of the substitute and the passage of the same.

Also, have had under consideration Assembly Bill No. 130—An Act to amend an Act entitled an Act to protect the wages of labor, approved March twenty-first, eighteen hundred and sixty eight.

Also, Senate Bill No. 265—An Act supplementary to an Act entitled an Act defining the time for commencing civil actions, passed April twenty-second, eighteen hundred and fifty.

Also, Senate Bill No. 275—An Act to add an additional section to the Penal Code.

Also, Senate Bill No. 268—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one.

Also, Senate substitute for Senate Bill No. 75—The substitute being entitled an Act providing for the appointment of a Phonographic Reporter in the County of San Joaquin, in certain cases.

And report the same back, and recommend the passage of the several bills.

Also, have had under consideration Senate Bill No. 103—An Act to provide for the assessment of encumbered real estate—and report the same back.

Your committee are divided in opinion as to this bill, but a majority recommend the passage thereof.

TOMPKINS, Chairman.

By Mr. Oulton:

Mr. PRESIDENT: The delegations from Alameda and San Francisco have had under consideration Senate Bill No. 273—An Act to more particularly define the boundary line between the City and County of San Francisco and the County of Alameda—and report the same back and recommend its passage.

OULTON,
TOMPKINS,
For the Delegations.

By Mr. Tuttle:

Mr. PRESIDENT: The Sonoma delegation, to whom was referred Assembly Bill No. 290, have had the same under consideration, report the same back, and recommend its passage.

TUTTLE, for Delegation.

On motion of Mr. Tuttle, the rules were suspended, and Assembly Bill No. 290, above reported, was read a third time and passed.

Mr. Tuttle verbally reported Assembly Bill No. 220, with a substitute therefor, and recommended the passage of the substitute.

Mr. Irwin verbally reported Assembly Bill No. 232, and recommended its passage.

By Mr. Comte:

Mr. PRESIDENT: The Sacramento delegation, to whom was referred substitute for Assembly Bill No. 371—An Act relating to the Board of Supervisors of the County of Sacramento, and more particularly defining its powers and duties—report that they have had the same under consideration, and reporting the same back, recommend its passage.

DUFFY,
COMTE,
Delegation.

On motion of Mr. Comte, the rules were suspended, and Assembly Bill No. 371, above reported, was read a third time and passed.

By Mr. Beck:

Mr. PRESIDENT: Your Committee on Public Buildings, to whom was referred Assembly Bill No. 225—An Act to authorize the Board of Supervisors of Sutter County to build and furnish a Court House and Jail at the county seat of said county, and to provide a fund therefor—report the same back, and recommend its passage.

BECK, for Committee.

On motion of Mr. Beck, the rules were suspended, and Assembly Bill No. 225, above reported, was read a third time and passed.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 23d, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 121—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March 8th, eighteen hundred and seventy.

Also, Senate Bill No. 74—An Act to legalize certain payments of money on account of the purchase of State school lands.

Also, Senate Bill No. 105—An Act for the relief of S. R. J. Sturgeon, late District Attorney of Santa Barbara County.

Also, Senate Bill No. 171—An Act declaring the San Joaquin River and the Stockton Slough navigable from and to certain points herein named.

Also, Senate Bill No. 165—An Act to authorize the Board of Trustees of Woodland School District, in the County of Yolo, to borrow money for certain purposes and provide for the payment of the same.

Also, Senate Bill No. 176—An Act to provide for the location, construction, and maintenance of public roads and highways in the County of Placer.

Also, Senate Bill No. 186—An Act creating a Board of Education for the City of Los Angeles and authorizing the Common Council of that city to issue bonds for a special School Building Fund.

NEWTON BOOTH, Governor.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Duffy—An Act to extend the time allowed to the Southern Pacific Railroad Company and the Western Pacific Railroad Company in which to make the transfers of their roads upon certain lands donated to them by the State for that purpose in the City and County of San Francisco.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Gonzales—An Act to provide for the payment of deficiency in the State Prison appropriation for the twenty-third fiscal year ending June thirtieth, eighteen hundred and seventy-two.

Read first and second times and ordered on file.

By Mr. Tompkins—An Act concerning service of summons upon absent defendants by publication.

Read first and second times and ordered on file.

By Mr. Beige—An Act in regard to the practice in the Police Judge's Court of the City and County of San Francisco.

Read first and second times and referred to the Judiciary Committee.

By Mr. Beck—An Act supplementary of and amendatory of an Act entitled an Act to incorporate the Town of Santa Cruz, approved March thirty-first, eighteen hundred and sixty six.

Read first and second times and referred to the Committee on Corporations.

By Mr. Boggs—An Act relative to unpaid warrants and assessments in Reclamation District Number One Hundred and Eight

Read first and second times and referred to the Yolo and Colusa delegations.

RESOLUTION.

The following resolution was offered:

By Mr. Oulton:

Resolved by the Senate, the Assembly concurring, That a committee of three from each House be appointed to make the necessary arrangements for the members of the Legislature to attend the funeral of the late Chief Justice Sprague; and that the committee be and are hereby authorized to provide for the payment of the funeral expenses, not to exceed the sum of one thousand dollars, out of the appropriations for contingent expenses of the two Houses, one half out of each.

Adopted.

PETITION.

Mr. Duffy presented a petition from Sacramento Division Number Two Hundred and Eighteen, Sons of Temperance, which was read and referred to the Committee on Public Morals.

GENERAL FILE.

Assembly Bill No. 219—An Act authorizing certain persons to improve a portion of King's River, and to erect booms therein.

Considered in Committee of the Whole, and amended.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the Senate, bill read a third time, and passed.

RESOLUTION.

Mr. Finney had leave to introduce the following resolution:

Resolved, That the Senate take a recess each day from one o'clock P. M. to half-past one.

Adopted.

GENERAL FILE RESUMED.

Assembly Bill No. 275—An Act authorizing the Secretary of State to furnish the Counties of Alpine, Inyo, Kern, Lake, Mono, and Sutter with certain volumes of the California Supreme Court Reports.

Indefinitely postponed.

Assembly Bill No. 82—An Act to amend an Act entitled an Act to regulate the fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Read a third time and passed.

At one o'clock P. M. the Senate took a recess until half-past one P. M.

REASSEMBLED.

Senate reassembled at one o'clock and thirty minutes P. M.

President in the chair.

Roll called.

Quorum present.

LEAVE OF ABSENCE.

Mr. Hutchings was granted leave of absence for one day.

GENERAL FILE RESUMED.

Senate resumed consideration of General File as follows:

Assembly Bill No. 206—An Act to authorize the Board of Supervisors of Los Angeles County to locate and build bridges across Los Angeles River and the New San Gabriel and the Old San Gabriel Rivers.

Read a third time and passed.

Assembly Bill No. 300—An Act to regulate the fees of the County Clerk of Santa Clara County.

Read a third time and passed.

[Mr. Pendegast in the chair.]

Senate Bill No. 222—An Act to pay for services rendered in the State Armory.

Withdrawn.

Senate Bill No. 235—An Act to amend an Act entitled an Act relating to criminal prosecutions.

Amendments reported by the Judiciary Committee adopted, rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 252—An Act to amend an Act entitled an Act to provide revenue for the support of the government of this State.

Passed on file.

Senate Bill No. 247—An Act to amend an Act to regulate fees and salaries of officers, and defining their duties, in the County of El Dorado, etc.

Passed on file.

Senate Bill No. 89—An Act to fix the salary of the Superintendent of Public Schools in Monterey County.

Ordered engrossed.

Senate Bill No. 200—An Act concerning estrays in the Counties of Santa Barbara and San Luis Obispo.

Ordered on file for Wednesday next.

Senate Bill No. 281—An Act entitled an Act amendatory of and supplementary to an Act to aid the construction of the Central Pacific Railroad, etc.

Report of the committee recommending that the bill do not pass was adopted.

On motion of Mr. Finney, substitute for Senate Bill No. 33—An Act to enforce the education of children—was made the special order for to-morrow at two o'clock P. M.

RESOLUTION.

By Mr. Evans:

Resolved, That the first standing rule of the Senate be amended so as to read as follows:

The time of meeting of the Senate shall be ten o'clock A. M. (Sundays excepted), and in case any other is named, it shall be applicable only to one day, and shall not affect this rule beyond the day named for a different hour of meeting.

The Senate will each day of its session (when it meets at ten o'clock A. M.) take a recess for one hour, commencing at one o'clock P. M.

Read and laid over for one day.

The President announced the appointment of the following committee on funeral services of Chief Justice Royal T. Sprague, on the part of the Senate: Messrs. Oulton, Tompkins, and Irwin.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
February 26th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty third day of February, amended and passed Senate Bill No. 40—An Act for the relief of Henry Kohn.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Senate Bill No. 40, above reported, with an amendment, the same was concurred in by the Senate.

At two o'clock and ten minutes P. M., on motion of Mr. Wand, the Senate adjourned until to-morrow at two o'clock P. M.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Tuesday, February 27th, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Mr. Gwin was granted leave of absence for one week.

COMMUNICATION.

The President presented a communication from the San Francisco Lying-in Hospital and Foundling Asylum.
Read and referred to the Committee on Finance.

PETITION.

The President also presented a petition from the Cotton Growers' Association of California.
Read and referred to the Committee on Agriculture.

REPORTS.

Reports were made as follows:

By Mr. McMurry:

Mr. PRESIDENT: The Committee on Contingent Expenses, having examined and found correct the following accounts, beg leave to report the same, and recommend the adoption of the accompanying resolution:

To whom due.	Amount.
John Breuner, furniture, repairing, etc	$499 00
Gillig, Mott & Co., stoves and fixtures	57 75
Locke & Lavenson, carpets for committee rooms	277 36
B. F. Alexander, removing and replacing desks	40 00
David Bush, portable gas lamp	22 50

Resolved, That the Controller of State be and he is hereby authorized to draw his warrants on the Contingent Fund of the Senate as follows:

In favor of John Breuner, for four hundred and ninety-nine dollars.

In favor of Gillig, Mott & Co., for fifty-seven dollars and seventy-five cents.

In favor of Locke & Lavenson, for two hundred and seventy-seven dollars and thirty-six cents.

In favor of B. F. Alexander, for forty dollars.

In favor of David Bush, for twenty-two dollars and fifty cents.

By Mr. Tuttle: McMURRY, Chairman.

Mr. President: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 260—An Act to facilitate and increase the collection of State and county and municipal licenses in the City of San Francisco.

Also, Senate Bill No. 301—An Act to appoint additional Notaries Public for the County of San Diego.

Also, Senate Bill No. 235—An Act to amend an Act entitled an Act relating to criminal prosecutions, approved April second, eighteen hundred and sixty-six.

By Mr. Hutchings: TUTTLE, for Committee.

Mr. President: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 174—An Act for the relief of Michael Connell.

Also, Senate Bill No. 239—An Act to provide for the care of the indigent sick in Del Norte County.

Also, Senate Bill No. 203—An Act fixing the compensation of the Treasurer and Assessor of Humboldt County.

Also, Senate Bill No. 10—An Act to legalize, ratify, and confirm deeds of conveyance and grants of land made by the municipal authorities of the City of San Diego.

Also, Senate Bill No. 158—An Act to amend an Act entitled an Act to authorize the issue of bonds by the County of San Diego to erect county buildings, approved March twenty ninth, eighteen hundred and seventy.

Also, Senate Bill No. 202—An Act to amend an Act entitled an Act to provide for the manner of auditing claims against Humboldt County, and to provide for the reduction of taxation therein and expenses thereof, approved April first, eighteen hundred and seventy.

Also, Senate Bill No. 40—An Act for the relief of Henry Kohn.

Also, Senate Bill No. 214—An Act to amend an Act entitled an Act to raise a fund for the improvement of Napa City, approved January twenty-fourth, eighteen hundred and seventy.

Also, Senate Bill No. 182—An Act to authorize the Public Administrator of Contra Costa County to act as Coroner.

Also, Senate Bill No. 107—An Act to reincorporate the Town of San Luis Obispo.

And have presented the same to the Governor for his signature this day at two o'clock and thirty minutes P. M.

By Mr. Wilson: HUTCHINGS.

Mr. President: Your Committee on Agriculture, to whom was referred Assembly Bill No. 277—An Act to prevent hunting and shooting on

private grounds—have had the same under consideration, and report the bill back with a recommendation that section one of said bill be amended by adding after the word "or," in the sixth line of said section, the words "to enter upon private lands, whether inclosed or not;" and that section three of said bill be amended by adding the words "San Diego" after the words "Los Angeles," in the fourth line of said section, and that the bill pass as amended.

WILSON, Chairman.

By Mr. Wilson:

Mr. PRESIDENT: Your Committee on Agriculture, to whom was referred Assembly Bill No. 338—An Act amendatory of and supplemental to an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties of this State, and to provide a bounty therefor, approved March sixteenth, eighteen hundred and seventy—have had the same under consideration and beg leave to report said bill back with a recommendation that section one of the bill be amended by striking out the word "and" after the word "same," in the tenth line of said section, and by striking out the word "as" after the word "known," in the eleventh line of section one, and that the bill pass as amended.

WILSON, Chairman.

By Mr. Comte:

Mr. PRESIDENT: The Committee on Roads and Highways, to whom was referred Senate Bill No. 271—An Act concerning roads in the County of Butte.

Also, Senate Bill No. 296—An Act to amend an Act entitled an Act concerning roads and highways in the County of San Mateo.

Also Senate Bill No. 269—An Act to provide for the location, construction, and maintenance of public roads in the County of Colusa.

Report the same back and recommend their passage.

They have also had under consideration Senate Bill No. 165—An Act to empower the Roadmaster of Pajaro Road District, of Santa Cruz County, to construct and maintain a ditch through the lands of Henry Wiley, of said road district—report the same back with a substitute, and recommend the passage of the substitute.

They have also had under consideration Substitute for Assembly Joint Resolution No. 18—Relative to Yosemite Valley—report the same back, and recommend its reference to the Committee on Federal Relations.

COMTE, for Chairman.

By Mr. Andross:

Mr PRESIDENT: The Tuolumne delegation, to whom was referred Senate Bill No. 305—An Act to authorize the Board of Supervisors of Tuolumne County to level a special tax to pay certain bonds against said county—report the same back and recommend its passage.

ANDROSS,
WING,
Delegation.

Mr. McMurry verbally reported Assembly Bill No. 373, and recommended its passage.

Mr. Perkins verbally reported Assembly Bill No. 271, and recommended its passage.

Mr. Minis verbally reported Senate Bill No. 300, and recommended its reference to the Judiciary Committee.

By Mr. Pendegast:

Mr. PRESIDENT: The delegations from Napa, Sonoma, and Solano Counties, to whom Senate Bill No. 69—An Act concerning estrays in the Counties of Napa, Solano, and Sonoma—was referred, respectfully report the same back with amendments, recommend the adoption of the amendments, but make no recommendation as to the passage of the bill.

PENDEGAST, of Napa,
MINIS, of Solano,
TUTTLE, of Sonoma.

By Mr. Pendegast:

Mr. PRESIDENT: The Napa delegation has considered Senate Bill No. 236—An Act to provide a special road tax in Napa County—and report the same back with amendments, and recommend its passage as amended.

PENDEGAST, for Delegation.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
February 26th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this 26th day of February, passed the following bills:

Senate Bill No. 183—An Act concerning the official bond of the Public Administrator of Contra Costa County.

Also, Senate Bill No. 135—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public, and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two.

Also, Senate Bill No. 53—An Act to punish seduction.

Also, Senate Bill No. 118—An Act amendatory of and supplementary to an Act entitled an Act to incorporate the Town of Eureka, approved April ninth, eighteen hundred and fifty nine.

Also, Senate Bill No. 193—An Act to regulate the terms of the County Court and Probate Court of the several counties of this State.

Also, Preamble and Assembly Joint Resolution No. 13—Relative to instructing our Senators and requesting our Representatives in Congress to urge upon the Congress of the United States the adoption of such legislation as will authorize the collection of a foreign miners' tax, etc.

Also, Assembly Bill No. 301—An Act to amend an Act entitled an Act to provide for the establishment, maintenance, and protection of public roads in Napa County, approved March thirty-first, eighteen hundred and sixty-six, and an Act supplemental to and amendatory of said Act, approved February thirteenth, eighteen hundred and sixty-eight.

Also, Assembly Bill No. 287—An Act to prevent persons passing

through inclosures and leaving them open, and tearing down fences to make passage through inclosures.

Also, on the same day, concurred in Senate Concurrent Resolution No. 34—Relative to the funeral obsequies of the late Chief Justice Sprague—and Senate Concurrent Resolution No. 35—Relative to payment of funeral expenses of the late Chief Justice Sprague, deceased, and appointment of committee; and that the Speaker appointed Messrs. Andrews, Luttrell, and Spencer as committee on the part of the Assembly.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
February 27th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this twenty-seventh day of February, adopted Assembly Concurrent Resolution No. 22—Requesting the Governor to return Assembly Bill No. 51, an Act for the government of the County of San Diego—for the purpose of correcting certain clerical errors, and respectfully ask the concurrence of the Senate.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Concurrent Resolution No. 22, above reported, read first and second times and adopted.

Assembly Joint Resolution No. 13, above reported, read first and second times and adopted.

Assembly Bill No. 301, above reported, read first and second times and referred to the Napa delegation.

Assembly Bill No. 287, above reported, read first and second times and referred to the Committee on Agriculture.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Duffy—An Act for the payment of the salary of the late Royal T. Sprague for the year eighteen hundred and seventy two, to his widow.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed, and transmitted to the Assembly without engrossment.

By Mr. Wing—An Act supplementary to an Act entitled an Act to define and establish the boundary line between the Counties of Inyo and Mono, approved March twenty-eighth, eighteen hundred and seventy.

Read first and second times and referred to the Committee on Education.

Also, an Act to authorize the issue of bonds by the County of Inyo to erect county bridges and buildings.

Read first and second times and referred to the Tuolumne delegation.

By Mr. Maclay—An Act to amend an Act entitled an Act to incorporate the City of Gilroy.

Read first and second times and referred to the Committee on Corporations.

Also, an Act amendatory of an Act to provide for the improvement of parks in the City of San Francisco.

Read first and second times and referred to the San Francisco delegation.

Also, an Act amendatory of an Act to provide for the erection of a City Hall in the City of San Francisco, approved April fourth, eighteen hundred and seventy.

Read first and second times and referred to the San Francisco delegation.

By Mr. Boggs—An Act to protect agriculture and to prevent the trespassing of animals in the County of Colusa.

Read first and second times and referred to the Committee on Agriculture, and ordered printed.

By Mr. Van Ness—An Act to amend an Act entitled an Act to authorize the issuance of bonds by the County of San Luis Obispo to erect county buildings, and to provide a site for the same, approved April fourth, eighteen hundred and seventy.

Read first and second times, and ordered on file.

By Mr. Tompkins—An Act to amend an Act entitled an Act to create and organize the University of California, approved March twenty-third, eighteen hundred and sixty-eight.

Read first and second times, and referred to the Committee on Education.

By Mr. Duffy—An Act relating to a special Fund for the State Library.

Read first and second times, and, with accompanying memorial, referred to the Committee on State Library.

RESOLUTION.

By Mr. Banvard:

WHEREAS, the Congress of the United States did, on the twenty-seventh of July, eighteen hundred and sixty-one, pass the following Act, to wit: "*Be it enacted, etc.* That the Secretary of the Treasury be, and he is hereby directed, out of any money in the Treasury not otherwise appropriated, to pay the Governor of any State, or his duly authorized agents, the costs, charges, and expenses properly incurred by such State for enrolling, subsisting, clothing, supplying, arming, equipping, paying, and transporting its troops employed in aiding to suppress the present insurrection against the United States, to be settled upon proper vouchers, to be filed and passed upon by the proper accounting officers of the Treasury."

And whereas, it is believed that under this Act a considerable sum of money is due from the General Government to the State of California; therefore be it

Resolved by the Senate, the Assembly concurring, That the Governor be authorized to contract with the agents, to be appointed in accordance with the provisions of the Act referred to, that their compensation for services rendered under said Act shall not exceed in the aggregate ten per cent of the moneys collected and paid to the State; *provided*, that the State shall in no event become liable for any expenses, fees, or salaries of any nature whatever other than such contingent commissions.

Read first and second times, rules suspended, resolution read a third time and adopted.

SPECIAL ORDER.

Substitute for Senate Bill No. 33—An Act to enforce the education of children.

Mr. Finney moved to suspend the rules, for the purpose of considering the bill engrossed, upon which the ayes and noes were demanded by Messrs. Comte, Minis, and Tuttle, and the Senate refused by the following vote:

AYES—Messrs. Betge, Boucher, Crane, De Haven, Duffy, Dyer, Evans, Finney, Garratt, Goodale, Kent, Maclay, McKusick, Neff, Oulton, Perkins, Tompkins, Turner, Wilson, and Wing—20

NOES—Messrs. Banvard, Beck, Boggs, Comte, Farley, Fowler, Hutchings, Irwin, Keys, Larkin, McCoy, McMurry, Minis, O'Connor, Tuttle, Van Ness, and Wand—17.

The bill was ordered to be engrossed.

GENERAL FILE.

Senate Joint Resolution No. 5—Requesting Congress not to allow reduction of duty on chiccory flour.

Upon the adoption of the resolution the ayes and noes were demanded by Messrs. Comte, Evans, and Fowler, and the Senate so ordered by the following vote:

AYES—Messrs. Andross, Betge, Crane, De Haven, Evans, Finney, Garratt, Goodale, Kent, Keys, McCoy, McKusick, Neff, Oulton, Perkins, Wand, Wilson, and Wing—18.

NOES—Messrs. Banvard, Beck, Boucher, Comte, Farley, Fowler, Hutchings, Irwin, Larkin, McMurry, Minis, O'Connor, Pendegast, Tompkins, Turner, Tuttle, and Van Ness—17.

Senate Bill No. 252—An Act to amend an Act entitled an Act to provide revenue for the support of the government of this State.

Ordered engrossed.

Senate Bill No. 247—An Act to amend an Act to regulate fees and salaries of officers, and defining their duties, in the County of El Dorado, etc.

Temporarily laid on the table.

Senate Bill No. 264—An Act in relation to the removal of the county seat of Alameda County.

Mr. Farley moved to place the bill at the top of the file for to-morrow.

Upon which the ayes and noes were demanded by Messrs. Farley, Fowler, and Oulton, and the Senate so ordered by the following vote:

AYES—Messrs. Andross, Beck, Betge, Boggs, Boucher, Evans, Farley, Fowler, Goodale, Hutchings, Kent, Keys, Larkin, Maclay, McCoy, Minis, O'Connor, Tuttle, Van Ness, Wand, Wilson, and Wing—22.

NOES—Messrs. Comte, Crane, De Haven, Finney, Garratt, Irwin, McKusick, McMurry, Neff, Oulton, Pendegast, Perkins, Tompkins, and Turner—14.

Senate Bill No. 215—An Act to amend an Act entitled an Act concern-

ing forcible entries and unlawful detainers, approved April twenty-seventh, eighteen hundred and sixty-three.

Substitute reported by the Judiciary Committee adopted.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 75—An Act authorizing the appointment of a Reporter for the County and Probate Courts of San Joaquin County.

Substitute reported by the Judiciary Committee adopted, and bill ordered engrossed.

Assembly Bill No. 130—An Act to amend an Act entitled an Act to protect the wages of labor, approved March twenty-first, eighteen hundred and sixty-eight.

Read a third time and passed.

On motion of Mr. Comte, substitute for Assembly Joint Resolution No. 18 was referred to the Committee on Federal Relations.

On motion of Mr. Minis, Senate Bill No. 300 was referred to the Judiciary Committee.

At four o'clock and thirty-four minutes P. M., on motion of Mr. Fowler, the Senate adjourned.

J. T. FARLEY,
President pro tem.

ROBERT FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Wednesday, February 28th, 1872.

Senate met pursuant to adjournment.

President in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

PETITIONS.

Petitions were presented as follows:

By Mr. Wing—From citizens of Inyo County, for the passage of a trespass law for said county.

Referred to the Committee on Agriculture.

By Mr. O'Connor—From the officers of the Orphan Asylum of Grass Valley.

Read and referred to the Finance Committee.

By Mr. Wand—From the Industrial Reformers of San Francisco, against the passage of a bill for the establishment of a Board of Public Works.

Referred to the San Francisco delegation.

Reports were made as follows:

By Mr. Perkins:

Mr. President: The Committee on Claims, to whom was referred Senate Bill No. 148—An Act to appropriate money to pay certain outstanding Indian war bonds issued by the State of California under an Act of the Legislature approved May third, eighteen hundred and fifty-two, and Acts supplementary thereto.

Also, Senate Bill No. 181—An Act to appropriate money to pay the outstanding Indian war bonds, issued by the State of California under an Act of the Legislature, approved May third, eighteen hundred and fifty-two, and Acts supplementary thereto—have had the same under consideration.

A provision for the payment of these bonds has been recommended by the joint committee appointed to examine into and ascertain the amount outstanding of Indian war bonds and coupons, that are valid and equitable claims against the State, and there is no reason to urge why these bonds should have any preference in their payment over others issued under the same Act. We therefore respectfully report them back, and recommend they do not pass.

Also, have had under consideration Senate Bill No. 255—An Act to appropriate money for the relief of John J. McCredy.

Also, Senate Bill No. 291—An Act for the relief of James S. Emery.

These two bills authorize the Board of Examiners to pay such sums to the claimants as they may find to be equitably due them for losses sustained in the construction of the Institute building for the Deaf, Dumb, and Blind, by reason of the enactment of the Eight Hour Law, when the estimate was made upon the basis of ten hours for a day's work, also for extra work done by direction of the Board of Commissioners, and various alterations made in the mode of construction, for none of which the claimants were responsible, but by means of which sustained considerable loss. A majority of the committee think it only just to the claimants that they should have the opportunity of presenting their claims to the Board of Examiners, and if found to be just and equitable claims against the State, to be paid the amount allowed, as provided in the bill. We therefore report the bills back, and respectfully recommend their passage.

We have also had under consideration the petition of W. S. Green—Asking for compensation for his services as one of the Commissioners appointed by the Legislature in eighteen hundred and sixty seven and eighteen hundred and sixty eight to examine and report upon the practicability of draining the overflowed lands of the Sacramento Valley—but if no compensation is allowed to at least return him the report and map of the Sacramento Valley, on file in the office of the Secretary of State. We respectfully report the same back with the accompanying resolution, and recommend the adoption of the resolution:

Resolved by the Senate, the Assembly concurring, That the Secretary of State be instructed to return to W. S. Green the "Report and map of the Sacramento Valley," placed on file in his office by Mr. Green.

PERKINS, Chairman.

By Mr. Larkin:

Mr. PRESIDENT: The Committee on State and County Revenue, to whom was referred Senate Bill No. 206—An Act entitled an Act to define and limit the compensation of officers and reduce public expenses and taxation in the County of San Mateo, approved February sixth, eighteen hundred and sixty-four—have had the same under consideration, and would report the same back with a substitute, and recommend the passage of the substitute.

LARKIN, Chairman.

By Mr. McMurry:

Mr. PRESIDENT: The Committee on Contingent Expenses, having examined and found correct the following accounts, beg leave to report the same, and recommend the adoption of the accompanying resolution:

To whom due.	Amount.
John Breuner, furniture	$215 00
John G. Hodge & Co., magic binders	150 00
Wells, Fargo & Co., freight on papers	40 00

Resolved, That the Controller of State be and he is hereby authorized and directed to draw his warrants on the Contingent Fund of the Senate as follows:

In favor of John Breuner for two hundred and fifteen dollars.

In favor of John G. Hodge & Co. for one hundred and fifty dollars.

In favor of Wells, Fargo & Co. for forty dollars.

McMURRY, Chairman.

By Mr. Wand:

Mr. PRESIDENT: The San Francisco delegation have had the following bills under consideration and report them back as follows:

Assembly Bill No. 244—An Act for the relief of James R. Travers.

Reported back and passage recommended.

Also, Assembly Bill No. 377—An Act to authorize the Board of Supervisors of the City and County of San Francisco to sell and convey a certain piece of land composing the Cemetery Avenue and the triangular Plaza, reserved by the Outside Land Committee, up to the Cemetery Avenue, and for other purposes.

Reported back and passage recommended.

Also, Assembly Bill No. 262—An Act supplementary to an Act entitled an Act providing for an attorney and counselor in and for the City and County of San Francisco.

Amended and passage recommended as amended.

WAND, for Delegation.

By Mr. Comte:

Mr. PRESIDENT: The Sacramento delegation, to whom was referred Assembly Bill No. 282—An Act to allow certain persons therein named and their associates and assigns to take possession of and improve a certain road in the County of Sacramento, report that they have had the same under consideration, and reporting same back recommend its passage.

They have also had under consideration Assembly Bill No. 186—An Act amendatory of and supplementary to an Act approved April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento, and report the same back with amendments and recommend its passage as amended.

COMTE, for Delegation.

On motion of Mr. Duffy, Assembly Bill No. 282, above reported, was referred to the Judiciary Committee.

On motion of Mr. Comte, the rules were suspended for the consideration of Assembly Bill No. 186, above reported.

Amendments reported by the delegation adopted by the Senate, bill read a third time and passed.

Mr. Minis verbally reported Assembly Bill No. 32; also, a substitute for Assembly Bill No. 239, and recommended their passage.

Mr. Tuttle verbally reported Assembly Bill No. 289, and recommended its passage.

On motion of Mr. Tuttle, the rules were suspended, and Assembly Bill No. 289, above reported, was read a third time and passed.

SPECIAL ORDER.

Senate Bill No. 226—An Act to continue the geological survey of the State of California.

Mr. Tompkins presented a memorial from the Trustees of the California Academy of Sciences; also, a memorial from the Chamber of Commerce of San Francisco, for the passage of Senate Bill No. 226.

The bill was ordered engrossed.

At one o'clock and twenty seven minutes P. M., on motion of Mr. Fowler, the Senate took a recess until two o'clock P. M.

REASSEMBLED.

The Senate reassembled at two o'clock P. M.

President in the chair.

Roll called.

Quorum present.

On motion of Mr. Evans, the Senate took up consideration of Senate Resolution—amending Rule One of the Standing Rules.

Adopted.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
February 27th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the

Assembly, on the twenty first day of February, passed Assembly Bill No. 372—An Act to define the northern boundary line of Napa County, adjoining Lake and Yolo Counties.

Also, on this twenty-seventh day of February, passed Senate Concurrent Resolution No. 8—In respect to turning San Diego River.

Also, Senate Bill No. 276—An Act to authorize the Board of Supervisors of the County of Amador to levy an additional tax for county expenditures in said county.

Also, Senate Bill No. 283—An Act to amend an Act entitled an Act amendatory of and supplemental to an Act entitled an Act concerning roads and highways in the County of Tuolumne, approved February twenty-seventh, eighteen hundred and sixty-six, approved April second, eighteen hundred and seventy.

Also, on the twenty seventh day of February, passed Assembly Bill No. 342—An Act to divide the State into Congressional districts.

Also, Assembly Bill No. 357—An Act amendatory of an Act entitled an Act for the more effectual prevention of cruelty to animals, approved March thirtieth, eighteen hundred and sixty-eight.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
February 27th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this twenty-seventh day of February, passed Assembly Bill No. 188—An Act to provide for listing and assessing all solvent debts, and to repeal an Act entitled an Act to prevent double taxation, approved April first, eighteen hundred and seventy, and the Act entitled an Act to relieve owners of encumbered real estate from double taxation, approved April fourth, eighteen hundred and seventy.

Also, Assembly Bill No. 8—An Act to repeal an Act entitled an Act to prevent double taxation; also, to repeal an Act entitled an Act to relieve owners of encumbered real estate from taxation.

Also, Senate Bill No. 308—An Act to extend the time allowed to the Southern Pacific Railroad Company and the Western Pacific Railroad Company in which to make the terminus of their roads upon certain lands donated to them by the State for the purpose in the City and County of San Francisco.

Also, passed, under a suspension of the rules, Assembly Bill No. 449—An Act to amend an Act entitled an Act to establish and define the powers and duties of the Board of Education of the City of Oakland.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
February 28th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-first day of February, passed Assembly Bill No. 404—An Act to regulate fees of office and salaries of officers in San Bernardino County.

Also, on the twenty-sixth instant, passed Assembly Bill No. 410—An Act supplemental to an Act to regulate fees and salaries in the County

of Calaveras, and to define the duties of certain officers in Calaveras County, approved March fourth, eighteen hundred and seventy.

Also, on the same day, passed Assembly Bill No. 422—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto.

Also, on the same day, passed Assembly Bill No. 437—An Act to provide an additional number of Supervisors for the County of Sonoma.

Also, on the twenty-seventh instant, adopted and passed Assembly substitute for Senate Bill No. 155—An Act to amend an Act entitled an Act to grant the Stanislaus Bridge and Ferry Company the right to construct and maintain a bridge or bridges across the Stanislaus River.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
February 28th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this twenty-eighth day of February, passed Senate Bill No. 267—An Act to regulate the salary of the Treasurer of Stanislaus County.

Also, on the same day, passed Senate Bill No. 314—An Act for the payment of the salary of the late Royal T. Sprague for the year eighteen hundred and seventy-two to his widow.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 188, above reported, read first and second times and referred to the Judiciary Committee

Assembly Bill No. 8, above reported, read first and second times, and referred to the Judiciary Committee.

Assembly Bill No. 449, above reported, read first and second times and referred to the Committee on Education.

Assembly Bill No. 372, above reported, read first and second times and referred to the delegations.

Assembly Bill No. 342, above reported, read first and second times and referred to the Committee on Counties and County Boundaries.

Assembly Bill No. 357, above reported, read first and second times and referred to the Committee on Agriculture.

Assembly Bill No. 404, above reported, read first and second times and referred to the delegation.

Assembly Bill No. 410, above reported, read first and second times and referred to the Calaveras delegation.

Assembly Bill No. 422, above reported, read first and second times and referred to the Calaveras delegation.

Assembly Bill No. 437, above reported, read first and second times and referred to the Sonoma delegation.

Assembly substitute for Senate Bill No. 155, above reported, read first and second times and adopted.

REPORTS.

Reports were made as follows:

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 80—An Act to fix the salary of the Superintendent of Common Schools in the County of Monterey.

Also, Senate Bill No. 252—An Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one.

NEFF, for Committee.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Evans—An Act to enable the City of Stockton to redeem its bonds falling due during the year eighteen hundred and seventy-three.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Betge—An Act to confer certain powers on the Judge of the County Court of the City and County of San Francisco.

Read first and second times and referred to the San Francisco delegation.

By Mr. Keys—An Act to promote irrigation.

Read first and second times and referred to the Committee on Agriculture, and ordered printed.

Also, an Act to repeal an Act entitled an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, approved April twenty-seventh, eighteen hundred and sixty-three.

Read first and second times and referred to the Judiciary Committee.

Also, an Act to provide for the establishment of a public highway and ferry on the San Joaquin River, in the County of Stanislaus.

Read first and second times, and referred to the Committee on Roads and Highways.

Also, an Act for the encouragement of irrigation.

Read first and second times and referred to the Committee on Agriculture.

Also, an Act for the relief of John L. Milner, Sheriff of Stanislaus County.

Read first and second times, and referred to the Stanislaus delegation.

By Mr. Goodale—An Act to authorize certain persons to construct weirs and traps in the Straits of Carquinez, for the purpose of taking fish.

Read first and second times, and referred to the Committee on Agriculture.

Also, an Act supplementary to and amendatory of an Act entitled an Act to provide for the building of a Court House and Jail in Marin County, and to repeal certain Acts, approved January eighteenth, eighteen hundred and seventy.

Read first and second times, and ordered on file.

By Mr. Irwin—An Act supplementary to an Act entitled an Act to provide additional funds for the support of the common schools of Siskiyou County for the year commencing on the first day of July, eighteen hundred and seventy-one, and ending the thirtieth day of June,

eighteen hundred and seventy two, approved December twenty-first, eighteen hundred and seventy-one.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Pendegast—An Act to improve the quality of fish in Clear Lake, and to supply its waters with different species thereof.

Read first and second times, and referred to the Committee on Agriculture.

RESOLUTIONS.

By Mr. Oulton:

Resolved by the Senate, the Assembly concurring. That the State Controller be and is hereby authorized to draw warrants in favor of R. K. Wick as follows, to wit: one warrant for the sum of two hundred and thirty seven dollars and seventy seven cents, payable out of the appropriation for contingent expenses of the Senate, and one warrant for the sum of two hundred and thirty seven dollars and seventy seven cents, payable out of the appropriation for contingent expenses of the Assembly; the total amounting to the sum of four hundred and seventy-five dollars and fifty-four cents, being the amount expended for the funeral expenses of the late Chief Justice Sprague.

Read and referred to the Committee on Contingent Expenses.

By Mr. Pendegast:

Concurrent Resolution—In relation to the construction of a seawall to form a breakwater to provide a place of refuge for vessels coasting on the North Pacific Ocean, on the coasts of California and Oregon.

Read first and second times, rules suspended, resolution read a third time and adopted.

GENERAL FILE.

Senate Bill No. 204—An Act in relation to the removal of the county seat of Alameda County.

Upon the third reading of the bill, the ayes and noes were demanded by Messrs. Evans, Larkin, and Duffy, and the Senate refused by the following vote:

AYES—Messrs. Beck, Comte, Crane, De Haven, Duffy, Finney, Garratt, Irwin, Keys, McKusick, McMurry, Neff, Oulton, Pendegast, Perkins, Turner, and Wilson—17.

NOES—Messrs. Andross, Banvard, Betge, Boggs, Boucher, Evans, Farley, Fowler, Goodale, Kent, Larkin, Maclay, McCoy, Mimis, O'Connor, Tompkins, Tuttle, Van Ness, Wand, and Wing—20.

Mr. Tompkins gave notice that he would, on to-morrow, move to reconsider the vote by which the Senate refused to order Senate Bill No. 204 read a third time.

Senate Bill No. 200—An Act concerning estrays in the Counties of Santa Barbara and San Luis Obispo.

Mr. Oulton offered a substitute for the bill, which was adopted. The rules were suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 220—An Act to provide for the establishment and maintenance of public roads in Sonoma County.

Substitute reported by the Sonoma delegation adopted, bill read a third time and passed.

Assembly Bill No. 278—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty ninth, eighteen hundred and fifty-one.

Amendments reported by the Judiciary Committee adopted, bill read a third time and passed.

Assembly Bill No. 151—An Act supplemental to an Act entitled an Act to authorize Smith and others to maintain a turnpike in Placer County.

Amendments reported by the Judiciary Committee adopted, bill read a third time and passed.

[President pro tem in the chair.]

Assembly Bill No. 266—An Act to amend an Act entitled an Act to amend an Act entitled an Act concerning divorces, passed March twenty-fifth, eighteen hundred and fifty-one, approved March twelfth, eighteen hundred and seventy.

Report of committee recommending that the bill do not pass was adopted.

Assembly Bill No. 294—An Act amendatory of and supplementary to an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one.

Amendments reported by the Judiciary Committee adopted by the Senate, bill read a third time and passed

Assembly Bill No. 373—An Act supplementary to an Act entitled an Act concerning roads and highways in the Counties of Shasta and Trinity, approved March twenty-eighth, eighteen hundred and sixty-three.

Read a third time and passed.

Assembly Bill No. 277—An Act to prevent hunting and shooting on private grounds.

Read a third time and passed.

At five o'clock P. M., on motion of Mr. Duffy, the Senate adjourned.

R. FERRAL, Secretary.

J. T. FARLEY,
President pro tem.

IN SENATE.

SENATE CHAMBER,
Thursday, February 29th, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Mr. Oulton was granted leave of absence for one day.

REPORTS.

Reports were made as follows:

By Mr. Neff:

Mr. President: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 215—An Act to amend an Act entitled an Act concerning forcible entries and unlawful detainers, and to repeal all other Acts on the same subject, approved April twenty-seventh, eighteen hundred and sixty-three.

Also, Senate Bill No. 333—An Act supplementary to an Act entitled an Act to provide additional funds for the support of the common schools of Siskiyou County for the year commencing on the first day of July, eighteen hundred and seventy-one, and ending on the thirtieth day of June, eighteen hundred and seventy-two, approved December twenty-first, eighteen hundred and seventy-one.

Also, Senate Concurrent Resolution No. 36—Relative to the payment of expenses for equipping, arming, etc., of California volunteers in the years eighteen hundred and sixty-one, eighteen hundred and sixty-two, eighteen hundred and sixty-three, and eighteen hundred and sixty-four.

NEFF, for Committee.

By Mr. Maclay:

Mr. President: Your committee to whom was referred Senate Bill No. 282—An Act to amend an Act entitled an Act to provide for the construction and maintenance of toll roads within the State of California, approved April fourth, eighteen hundred and seventy—have had it under consideration, and report the same back, with the recommendation that it pass.

Also, have had under consideration Assembly Bill No. 303—An Act to authorize the City of Vallejo to borrow money—report the same back, and recommend its passage.

Also, have had under consideration Assembly Bill No. 286—An Act supplemental to and amendatory of an Act entitled an Act to incorporate the Town of Chico, Butte County, California, approved January ——, eighteen hundred and seventy-two—report the same back, and recommend its passage.

Also, have had under consideration Assembly Bill No. 261—An Act to repeal an Act entitled an Act for the incorporation of the City of Anaheim, and appointing Commissioners to dispose of the property, pay the indebtedness, and settle the affairs thereof—report the same back and recommend its passage.

Also, have had under consideration Senate Bill No. 264—An Act concerning the San Diego and Gila Southern Pacific and Atlantic Railroad Company, and to extend the time of performing certain acts—report the same back and recommend its passage.

Also, have had under consideration Senate Bill No. 317—An Act to amend an Act entitled an Act to incorporate the City of Gilroy—report the same back and recommend its passage.

MACLAY, Chairman.

By Mr. McMurry:

Mr. President: The Committee on Contingent Expenses, to whom was referred Senate Concurrent Resolution No. 38—Relative to paying claim of R. K. Wick for funeral expenses of the late Chief Justice Sprague—having had the same under consideration, herewith report it back and recommend its passage.

McMURRY, Chairman.

On motion of Mr. McMurry, the rules were suspended and the resolution above reported was adopted.

By Mr. Tuttle:

Mr. President: The Committee on Education, to whom was referred Senate Bill No. 233—An Act to provide for a system of common schools—have considered the same and report it back with amendments, and recommend its passage as amended.

TUTTLE,
For majority of Committee.

On motion of Mr. Tuttle, Senate Bill No. 233, above reported, was ordered at top of file for to-morrow.

By Mr. Hutchings:

Mr. President: Your Committee on Enrollment have examined and find correctly enrolled Senate Bill No. 276—An Act to authorize the Board of Supervisors of the County of Amador to levy an additional tax for county expenditures of said county—and presented the same to the Governor for his approval this day at one o'clock and fifty minutes P. M.

HUTCHINGS.

Mr. President: Your Committee on Enrollment respectfully report that they have examined and find correctly enrolled Senate Bill No. 210—An Act to establish a college at Santa Rosa, Sonoma County, California—and have presented the same to the Governor for his approval this day at twelve o'clock and twenty-five minutes P. M.

HUTCHINGS.

By Mr. McMurry:

Mr. President: The Committee on Contingent Expenses having examined and found correct the following accounts, report the same and recommend the adoption of the accompanying resolution:

To whom due.	Amount.
C. E. Spencer, for *Sacramento Record*	874 25
Wm. A. January, for *Santa Clara Argus*	35 00
W. Chalmers, for *Chico Review*	16 00
James Anthony & Co., for *Sacramento Union*	106 09
Geo. I. Lytle, for *Bulletin, Appeal,* and *Call*	97 00
Dewey & Co., for *Scientific Press*	30 00

Resolved, That the Controller of State be and he is hereby authorized to draw his warrants on the Contingent Fund of the State as follows:

In favor of C. E. Spencer, for seventy-four dollars and twenty five cents.

In favor of Wm. A. January, for thirty-five dollars.

In favor of W. Chalmers, for sixteen dollars.

In favor of James Anthony & Co., for one hundred and six dollars and nine cents.

In favor of Geo. I. Lytle, for ninety-seven dollars.

In favor of Dewey & Co., for thirty dollars.

McMURRY, Chairman.

Mr. Tuttle verbally reported Senate Bill No. 315, with amendments, and recommended its passage as amended.

The rules were suspended for the consideration of Senate Bill No. 315, above reported.

Amendments reported by the committee adopted, bill read a third time and passed.

By Mr. Betge:

Mr. President: A majority of the Committee on Commerce and Navigation, to whom was referred Senate Bill No. 19—An Act to cede certain lands to the City of San Diego—have had the same under consideration, and recommend the passage of said bill as amended.

Also, report back Assembly Bill No. 67—An Act defining the time within which certain actions may be brought—and recommend its passage.

Also, report back Assembly Bill No. 212, and recommend its reference to the Judiciary Committee, as said bill involves important legal points.

BETGE, Chairman.

By Mr. Wand:

Mr. President: The Joint Senate and Assembly Committee on State Prison and Prison Buildings have had under consideration Senate Bill No. 189—An Act to establish a State Reformatory at San Quentin.

Also, Senate Bill No. 190—Proposed amendment to the Constitution.

And herewith report them back as follows:

We are in favor of the passage of both bills; but there being doubt in the minds of some members of the committee as to the constitutionality

of certain provisions in them, it was unanimously resolved to ask that they be referred to the Judiciary Committee of the Senate.

WAND, for Committee.

On motion of Mr. Wand, Senate Bills Nos. 189 and 190, above reported, were referred to the Judiciary Committee.

Mr. Minis verbally reported Senate Bill No. 185, with amendments, and recommended its passage as amended.

Mr. Dyer verbally reported Assembly Bill No. 410, and recommended its passage.

On motion of Mr. Dyer, the rules were suspended for the consideration of Assembly Bill No. 410, above reported; the rules were further suspended, bill read a third time and passed.

Mr. Dyer verbally reported Assembly Bill No. 422, with amendments, and recommended its passage as amended.

On motion of Mr. Dyer, the rules were suspended for the consideration of Assembly Bill No. 422, above reported; the rules were further suspended, and amendments reported were adopted, bill read a third time and passed.

Mr. Maclay verbally reported Assembly Bill No. 321, and recommended its passage.

Mr. Wing verbally reported Assembly Bill No. 316, and recommended its passage.

On motion of Mr. Wing, the rules were suspended for the consideration of Assembly Bill No. 316, above reported; the rules were further suspended, bill read a third time and passed.

PETITION.

The President presented a petition from the Protestant Orphan Asylum of San Francisco.

Read and referred to the Finance Committee.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 28th, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 40—An Act for the relief of Henry Kohn.

Also, Senate Bill No. 158—An Act to amend an Act entitled an Act to authorize the issue of bonds by the County of San Diego to erect county buildings, approved March twenty-ninth, eighteen hundred and seventy.

Also, Senate Bill No. 202—An Act to amend an Act entitled an Act to provide for the manner of auditing claims against Humboldt County, and to provide for the reduction of taxation therein and expenses thereof, approved April first, eighteen hundred and seventy.

Also, Senate Bill No. 214—An Act to amend an Act entitled an Act to raise a fund for the improvement of Napa City, approved January twenty-ninth, eighteen hundred and seventy.

Also, Senate Bill No. 182—An Act to authorize the Public Administrator of Contra Costa County to act as Coroner.

Also, Senate Bill No. 239—An Act to provide for the care of indigent sick in Del Norte County.

Also, Senate Bill No. 263—An Act fixing the compensation of the Treasurer and Assessor of Humboldt County.

NEWTON BOOTH, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 28th, 1872.

To the Senate of the State of California:

I herewith return to your honorable body without my approval Senate Bill No. 210—An Act to establish a college at Santa Rosa, Sonoma County, California.

The object sought to be attained by this bill is the establishment and incorporation of a college. This is fully provided for in an Act passed April twentieth, eighteen hundred and fifty, entitled an Act to provide for the incorporation of colleges, and amended in eighteen hundred and sixty-eight and in eighteen hundred and seventy.

The creation of such a corporation as this by special Act is prohibited by our Constitution. Section thirty one of Article IV reads as follows: "Corporations may be formed under general laws but shall not be created by special Act except for municipal purposes. All general laws and special Acts passed pursuant to this section may be altered from time to time or repealed."

NEWTON BOOTH, Governor.

Upon the question, "Shall Senate Bill No. 210 become a law notwithstanding the objections of the Governor?" the roll was called with the following result:

AYES—None.

NOES—Messrs. Andross, Banvard, Beige, Boggs, Boucher, Comte, Crane, De Haven, Duffy, Dyer, Evans, Farley, Finney, Fowler, Garratt, Goodale, Irwin, Kent, Keys, Larkin, Maclay, McCoy, McKusick, McMurry, Manis, Neff, O'Connor, Perkins, Tompkins, Turner, Tuttle, Van Ness, Wand, Wilson, and Wing—34.

MESSAGE FROM THE ASSEMBLY.

The following Assembly message was read:

ASSEMBLY CHAMBER,
February 29th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty sixth day of February, passed Assembly Bill No. 401—An Act relative to certain county warrants in the Treasury of the County of Sacramento.

Also, on same day, passed Assembly Bill No. 406—An Act to authorize the County of Sacramento to issue bonds.

Also, on the twenty-seventh February, passed Assembly Bill No. 446—

An Act to provide for the division of Yolo County into assessment districts for the election of District Assessors, and to define their duties, liabilities, and compensation.

Also, on same day, passed Assembly Bill No. 451—An Act to amend an Act entitled an Act concerning roads and highways in the County of Alameda, approved March twenty-fourth, eighteen hundred and sixty-two.

Also, on same day, passed Assembly Bill No. 454—An Act to authorize the construction of a public school house in the Yuba School District, in the County of Sutter, and to provide funds therefor.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bills Nos. 401 and 406, above reported, were severally read first and second times and referred to the Sacramento delegation.

Assembly Bill No. 446, above reported, read first and second times and referred to the Yolo delegation.

Assembly Bill No. 451, above reported, read first and second times and referred to the Alameda delegation.

Assembly Bill No. 454, above reported, read first and second times and referred to the Committee on Education.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Tuttle—An Act concerning the fees and salaries of certain officers in the County of Sonoma.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

Also, an Act to amend an Act entitled an Act to establish a State Normal School, approved April fourth, eighteen hundred and seventy.

Read first and second times and referred to the Committee on Education.

By Mr. Evans—An Act to provide for the payment of expenses incurred in construction of new State Armory, and for services rendered in cleaning and restoring State military property.

Read first and second times and referred to the Committee on Finance.

[Mr. Evans in the chair.]

GENERAL FILE.

Senate Bill No. 80—An Act to fix the salary of the Superintendent of Public Schools in Monterey County.

Read a third time and passed.

Senate Bill No. 252—An Act to amend an Act entitled an Act to provide revenue for the support of the government of this State.

Read a third time and passed.

Assembly Bill No. 271—An Act to provide for the payment of certain fees in Butte County.

Read a third time and passed.

Assembly Bill No. 338—An Act amendatory of and supplemental to an Act entitled an Act to encourage the destruction of squirrels and

gophers in certain counties of this State, and to provide a bounty therefor.

Amendments reported by the Committee on Agriculture adopted, bill read a third time and passed.

Assembly Bill No. 239—An Act for the relief of purchasers of State lands.

Substitute reported by the Committee on Swamp and Overflowed Lands adopted by the Senate, bill read a third time and passed.

[President in the chair.]

Assembly Bill No. 32—An Act to repeal an Act to provide for the protection of lands in the County of Sutter from overflow.

Read a third time and passed.

Assembly Bill No. 337—An Act to authorize the Board of Supervisors of the City and County of San Francisco to sell and convey a certain piece of land composing the Cemetery Avenue and triangular plaza reserved by the Outside Land Committee up to the Cemetery Avenue, and for other purposes.

Read a third time and passed.

Assembly Bill No. 262—An Act supplementary to an Act entitled an Act providing for an attorney and counselor in the City and County of San Francisco.

Amendments reported by the delegation adopted, bill read a third time and passed.

Assembly Bill No. 244—An Act for the relief of James R. Travers.

Passed on file.

Senate Bill No. 103—An Act to provide for the assessment of encumbered real estate, and all bills relating thereto.

Ordered at top of file for Tuesday, March fifth.

Mr. Tuttle verbally reported Assembly Bill No. 449, and recommended its passage.

On motion of Mr. Tompkins, the rules were suspended for the consideration of Assembly Bill No. 449, above reported.

The rules were further suspended, bill read a third time and passed.

SPECIAL ORDER.

Report of Committee on Elections in case of Flint vs. Beck.

The case was opened on the part of contestant by J. G. Eastman, Esq.

At one o'clock and thirty five minutes P. M., on motion of Mr. Maclay, the Senate took a recess for thirty minutes.

REASSEMBLED.

Senate reassembled at two o'clock and five minutes P. M.

President pro tem in the chair.

Roll called.

Quorum present.

SPECIAL ORDER RESUMED.

Senate resumed consideration of special order:

Report of Committee on Elections in case of Flint vs. Beck.

The case was argued by A. Craig, Esq., on the part of the respondent, and closed by the Attorney for the contestant.

[President in the chair.]

The resolution reported by a majority of the Committee on Elections, was read as follows:

Resolved, That the testimony laid before the Senate in this contest, in which Thomas Flint contests the right of Thomas Beck to a seat in this Senate as Senator from the Sixth Senatorial District of this State, composed of the Counties of Monterey and Santa Cruz, does not show that said Thomas Beck is not entitled to said seat by virtue of having received a majority of the legal votes cast in said Senatorial District for Senator at the general election held on the sixth day of September, A. D. eighteen hundred and seventy-one.

At four o'clock and ten minutes P. M., Mr. Evans moved to adjourn, upon which the ayes and noes were demanded by Messrs. Perkins, De Haven, and Larkin, and the Senate refused by the following vote:

AYES—Messrs. Banvard, Evans, Farley, Larkin, and Maclay—5.
NOES—Andross, Boggs, Boucher, Crane, De Haven, Duffy, Fowler, Garratt, Goodale, Hutchings, Irwin, Kent, Keys, McCoy, McKusick, McMurry, Minis, Neff, O'Connor, Pendegast, Perkins, Tompkins, Turner, Tuttle, Van Ness, Wilson, and Wing—27.

Upon the adoption of the resolution reported by a majority of the Committee on Elections in the matter of the contested election case of Flint vs. Beck, the ayes and noes were demanded by Messrs. Minis, Larkin, and Fowler, and the resolution was adopted by the following vote:

AYES—Messrs. Andross, Banvard, Betge, Boggs, Boucher, Comte, Crane, De Haven, Dyer, Evans, Farley, Finney, Fowler, Garratt, Goodale, Hutchings, Irwin, Kent, Keys, Larkin, Maclay, McCoy, McKusick, McMurry, Minis, Neff, O'Connor, Pendegast, Perkins, Tompkins, Tuttle, Van Ness, Wand, Wilson, and Wing—35.
NOES—None.

RECONSIDERATION.

Pursuant to notice, Mr. Tompkins moved to reconsider the vote by which the Senate, on yesterday, refused to order to third reading Senate Bill No. 204.

Mr. Tompkins moved to make the motion to reconsider the special order for this evening at half-past seven o'clock. Upon which the ayes and noes were demanded by Messrs. Tompkins, Larkin, and Maclay, and the Senate refused by the following result:

AYES—Messrs. Andross, Beck, Comte, Crane, De Haven, Duffy, Finney, Garratt, Neff, Perkins, Tompkins, Turner, and Wilson—13.
NOES—Messrs. Banvard, Betge, Boggs, Boucher, Evans, Farley, Fowler, Goodale, Hutchings, Irwin, Kent, Keys, Larkin, Maclay, McCoy, McKusick, Minis, O'Connor, Pendegast, Van Ness, and Wing—21.

Mr. Tompkins moved to make the motion to reconsider the special order for to-morrow, immediately after the reading of the Senate Journal.

Upon which the ayes and noes were demanded by Messrs. Tompkins, Larkin, and Duffy, and the Senate refused by the following vote:

Ayes—Messrs. Beck, Comte, Crane, De Haven, Duffy, Finney, Garratt, Irwin, McKusick, McMurry, Neff, Pendegast, Perkins, Tompkins, Turner, and Wison—16.

Noes—Messrs. Andross, Banvard, Betge, Boggs, Boucher, Evans, Farley, Fowler, Goodale, Hutchings, Kent, Keys, Larkin, Maclay, McCoy, Minis, O'Connor, Tuttle, Van Ness, and Wing—20.

Mr. Fowler moved to indefinitely postpone the motion to reconsider. Upon which the ayes and noes were demanded by Messrs. Evans, Larkin, and Maclay, and the roll was called with the following result:

Ayes—Messrs. Andross, Banvard, Betge, Boggs, Boucher, Evans, Farley, Fowler, Goodale, Hutchings, Kent, Larkin, Maclay, McCoy, Minis, O'Connor, Tuttle, and Van Ness—18.

Noes—Messrs. Beck, Comte, Crane, De Haven, Duffy, Finney, Garratt, Irwin, Keys, McKusick, McMurry, Neff, Pendegast, Perkins, Tompkins, Turner, Wilson, and Wing—18.

There being a tie vote, the President, in the exercise of his constitutional privilege, voted "No," and the motion was lost.

Upon the motion to reconsider, the ayes and noes were demanded by Messrs. Evans, Larkin, and Tompkins, and the Senate refused by the following vote:

Ayes—Messrs. Beck, Comte, Crane, De Haven, Duffy, Finney, Garratt, Irwin, Keys, McKusick, McMurry, Neff, Pendegast, Perkins, Tompkins, Turner, and Wilson—17.

Noes—Messrs. Andross, Banvard, Betge, Boggs, Boucher, Evans, Farley, Fowler, Goodale, Hutchings, Kent, Larkin, Maclay, McCoy, Minis, O'Connor, Tuttle, Van Ness, and Wing—19.

At four o'clock and forty-five minutes P. M., on motion of Mr. Maclay, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. Ferral, Secretary.

IN SENATE.

Senate Chamber,
Friday, March 1st, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.
[Mr. Evans in the chair.]

MEMORIAL.

Mr. Wand presented a memorial and report from the managers of the Magdalen Asylum of San Francisco.

Referred to the Committee on Finance.

REPORTS OF STANDING COMMITTEES.

The following reports were made:

By Mr. Minis:

Mr. PRESIDENT: Your Committee on Swamp and Overflowed Lands have carefully examined Assembly Bill No. 33, report the same back with an amendment, and recommend its passage as amended.

MINIS, Chairman.

By Mr. Evans:

Mr. PRESIDENT: Your Committee on Military Affairs, to whom was referred Senate Bill No. 209—An Act concerning the military of the State of California—have duly considered the same and made so many amendments thereto, even to striking out whole sections, and thereby necessitating the renumbering of sections, that they, in order to facilitate business in the consideration of the bill by the Senate, beg leave to report a substitute for the original bill, and recommend the adoption and passage of the substitute.

EVANS, for Committee.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 226—An Act to continue the Geological Survey of the State of California.

Also, Senate Bill No. 75—An Act providing for the appointment of a Phonographic Reporter in the County of San Joaquin in certain cases.

Also, Senate Joint Resolution No. 5—Relative to instructing our Senators and requesting our Representatives in Congress not to allow a reduction of the duty on chiccory flour.

TUTTLE, for Committee.

Mr. Tuttle verbally reported Assembly Bill No. 454, and recommended its passage.

On motion of Mr. Tuttle, the rules were suspended, and Assembly Bill No. 454, above reported, read a third time and passed.

By Mr. Larkin:

Mr. PRESIDENT: The Committee on State and County Revenue, to whom was referred Assembly Bill No. 223—An Act granting to the counties of this State the poll tax collected in said counties severally for school purposes.

Also, Senate Bill No. 298—An Act to provide funds for the construction and improvement of highways in the County of San Mateo.

Also, Senate Bill No. 279.

Report the same back and recommend their passage.

Also, Senate Bills Nos. 217 and 219.

Report the same back with substitutes, and recommend the passage of the substitutes.

LARKIN, Chairman.

On motion of Mr. Finney, the rules were suspended for the consideration of Senate Bill No. 298, above reported.

The bill was amended by the Senate, rules suspended, bill considered engrossed, read a third time and passed.

[President in the chair.]

By Mr. Pendegast:

Mr. PRESIDENT: The Committee on Counties and County Boundaries have had under consideration Assembly Bill No. 218—An Act to create the County of Ventura, to establish the boundaries thereof, and to provide for its organization—and report the same back.

The County of Santa Barbara contains over five thousand square miles independent of the Islands of San Miguel, Santa Rosa, Santa Cruz, San Nicholas, and Anacapa, which are also a part of said county, being about one hundred and sixty miles long with an average width of forty miles. The first township of said county, or the portion sought to be set off for the County of Ventura, comprises an area of nineteen hundred square miles, and about three hundred and fifty thousand acres of good arable land, watered by the San Buenaventura and Santa Clara Rivers.

The assessable property in eighteen hundred and seventy one amounted to nine hundred thousand dollars, being more than double what it was in eighteen hundred and sixty-nine.

There are two seaport towns, San Buenaventura and Hyuema, through which all supplies are received and all exports are shipped, rendering it entirely independent of the western portion of Santa Barbara County.

The population is about three thousand five hundred, and the number of registered voters at the late general election was six hundred and sixty. Owing to the great length of Santa Barbara County, the parties in the first township, or that portion seeking to be set off, often find it next to impossible to get to the county seat, being separated therefrom by the Coast Range, which, at the desired point of division, approaches boldly to the seacoast for a distance of fifteen miles or more, and in many places barely room for a road along the beach, which is always rough and frequently during spring tides is impassable.

While, as a general rule, the committee are not in favor of the creation of new counties, we find that the circumstances of the case are peculiar. The facts above stated, with the additional ones that every individual in the territory sought to be detached is in favor of this bill, and that there is no serious objection made by the residents of the other portion of Santa Barbara County, that the delegations from said county in both Houses approve the measure, induce the committee to report the bill back, with the amendment, and recommend the passage of the bill as amended.

PENDEGAST, Chairman.

Mr. Keyes presented a report from the Committee on State Hospitals.

The report was read and ordered printed.

By Mr. Wand:

Mr. PRESIDENT: The San Francisco delegation have had under consideration Senate Bill No. 172—An Act to create a Board of Public Works in the City and County of San Francisco—and the undersigned, a portion of said delegation, report the same back with amendments, and recommend the passage of the bill as amended.

Respectfully submitted.

WAND,
BETGE.

Mr. Tompkins verbally reported Assembly Bill No. 451, and recommended its passage.

On motion of Mr. Tompkins, the rules were suspended for the consideration of Assembly Bill No. 451, above reported.

The bill was read a third time and passed.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, February 29th, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 276—An Act to authorize the Board of Supervisors of the County of Amador to levy an additional tax for county expenditures in said county.

Also, Senate Bill No. 314—An Act for the payment of the salary of the late Royal T. Sprague for the year eighteen hundred and seventy-two.

NEWTON BOOTH, Governor.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
February 29th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this twenty-ninth day of February, amended and passed Senate Bill No. 220—An Act to amend an Act entitled an Act to authorize and require the County of Santa Cruz to pay over certain school moneys to certain school districts in San Mateo County, approved March twenty-seventh, eighteen hundred and seventy.

Also, adopted Assembly Concurrent Resolution No. 24—Relative to printing of report of Joint Committee on State Prison—and respectfully ask the concurrence of the Senate therein.

Also, passed this day, under a suspension of the rules, Assembly Bill No. 378—An Act to authorize the Board of Supervisors of Yolo County to levy special taxes for county purposes.

Also, passed this day, under a suspension of the rules, Assembly Bill No. 156—An Act to regulate fees of office in the County of Sierra.

Also, passed this day, under a suspension of the rules, Assembly Bill No. 164—An Act to amend section thirteen of an Act to regulate fees of office and salaries of certain officers and to repeal certain Acts in relation thereto, approved March fifth, eighteen hundred and seventy, so far as the same applies to the County of Monterey.

Also, passed this day, Senate Bill No. 212—An Act to amend an Act entitled an Act to reincorporate the Town of Colusa.

Also, passed this day, Senate Bill No. 225—An Act to provide for defendants in the Courts of the second District of Contra Costa County.

Also, passed this day, Senate Bill No. 23—An Act to amend an Act entitled an Act to authorize and direct the municipal authorities of the several cities and incorporated towns of this State to execute certain trusts in relation to town lands, etc.

Also, passed this day, Senate Bill No. 250—An Act supplemental to an Act entitled an Act for the maintenance of public roads and trails in the County of Sierra.

Also, passed this day, Senate Bill No. 254—An Act to amend an Act entitled an Act to provide for redeeming and paying the warrants now standing against Tuolumne County, and for paying the current expenses of said county in cash and defining and limiting the powers and duties of certain officers in relation thereto.

Also, passed this day, Assembly Bill No. 72—An Act for the protection of miners.

Also, passed this day, Senate Bill No. 212—An Act to incorporate the Town of Alameda.

Also, passed this day, under a suspension of the rules, Assembly Bill No. 158—An Act concerning the salary of the County Assessor of Butte County.

Also, passed this day, Senate Bill No. 201—An Act to appoint additional Notaries Public for the County of San Diego.

Also, on same day, considered and passed Senate Bill No. 166—An Act to provide for sprinkling the streets of San Francisco.

Also, passed this day, substitute for Assembly Bill No. 54—An Act to provide for the appointment of Commissioners to recommend amendments to the Constitution.

Also, on same day, refused to concur in Senate amendments to Assembly Bill No. 277—An Act to prevent hawking and shouting on private grounds.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Substitute for Assembly Bill No. 84, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 153, above reported, read first and second times and referred to the Siskiyou delegation.

Assembly Bill No. 164, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 120, above reported, read first and second times and referred to the Butte delegation.

Assembly Bill No. 178, above reported, read first and second times, rules suspended, bill read a third time and passed.

Assembly Bill No. 72, above reported, read first and second times and referred to the Committee on Mines and Mining Interests.

Assembly Concurrent Resolution No. 24, above reported, read first and second times, rules suspended and resolution adopted.

Senate Bill No. 166, above reported, amendments reported from the Assembly adopted by the Senate.

Senate Bill No. 277, above reported, Senate refused to concur in the Assembly amendment.

Assembly Bill No. 220, above reported, Senate refused to recede from its amendments.

On motion of Mr. Van Ness, the rules were suspended, and the President appointed, as a committee of conference on the part of the Senate on the disagreeing vote of the two Houses on Assembly Bill No. 277, Messrs. Van Ness and Wilson.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
March 1st, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this twenty-ninth day of February, passed, under a suspension of the rules, Assembly Bill No. 413—An Act to incorporate the City of San Diego—and the same was ordered transmitted to the Senate without engrossment.

Also, on the same day, amended and passed Senate Joint Resolution No. 1—Relative to restoring certain lands granted to Sacramento and Placerville Railroad to homestead and preëmption.

Also, on same day, passed substitute for Assembly Bill No. 349—An Act relating to Swamp Land District No. 71, in Sacramento County.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Substitute for Assembly Bill No. 349, above reported, read first and second times and referred to the Sacramento delegation.

Assembly Bill No. 413, above reported, read first and second times and referred to the Committee on Corporations.

Senate Joint Resolution No. 1, above reported, Assembly amendments concurred in by the Senate.

REPORTS.

The following reports were made:

By Mr. Hutchings:

Mr. PRESIDENT: The Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 283—An Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act concerning roads and highways in the County of Tuolumne, approved February twenty-

seventh, eighteen hundred and sixty-six, approved April second, eighteen hundred and seventy.

Also, Senate Bill No. 308—An Act to extend the time allowed to the Southern Pacific Railroad Company and the Western Pacific Railroad Company in which to make the terminus of their roads upon certain lands donated to them by the State for that purpose in the City and County of San Francisco.

Also, Senate Bill No. 314—An Act for the payment of the salary of the late Royal T. Sprague, for the year eighteen hundred and seventy-two, to his widow.

Also, an Act to regulate the salary of the County Treasurer of Stanislaus County.

And have presented the same to the Governor for his signature this day, at two o'clock and thirty minutes P. M.

HUTCHINGS, Chairman.

Mr. PRESIDENT: The Committee on Enrollment respectfully report that they have examined and find correctly enrolled Senate Bill No. 53—An Act to punish seduction.

Also, Senate Bill No. 135—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public, and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two.

Also, Senate Bill No. 183—An Act concerning official bond of Public Administrator of Contra Costa County.

Also, Senate Bill No. 193—An Act to regulate the term of the County Court and Probate Court of the several counties of this State.

Also, Senate Bill No. 118—An Act amendatory of and supplementary to an Act entitled an Act to incorporate the Town of Eureka, approved April ninth, eighteen hundred and fifty-nine.

And have presented the same to the Governor for his signature, this day, at eleven o'clock and thirty minutes.

HUTCHINGS, Chairman.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Minis—An Act to amend an Act to provide for the management and sale of the lands belonging to the State.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands.

By Mr. Van Ness—An Act authorizing the transcribing of certain records in the County of San Luis Obispo.

Read first and second times and referred to the Judiciary Committee.

Also, an Act to authorize the Board of Supervisors of the County of San Luis Obispo to audit and allow the claim of M. B. Harrison.

Read first and second times and referred to the Judiciary Committee.

By Mr. Beck—An Act to regulate the fees of the Sheriff of the County of Santa Cruz.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

MOTIONS, RESOLUTIONS, AND NOTICES.

On motion of Mr. Pendegast, the rules were suspended, and Assembly Bill No. 164 was taken up, read a third time and passed.

By Mr. Van Ness:

Resolved, by the Senate, the Assembly concurring, That the Governor be and he is hereby requested to return to the Senate, for the correction of a clerical error, Senate Bill No. 107.

Rules suspended and resolution adopted.

On motion of Mr. O'Connor, substitute for Senate Bill No. 209 was ordered printed.

On motion of Mr. Goodale, the rules were suspended for the consideration of Senate Bill No. 332.

The rules were further suspended, bill considered engrossed, read a third time and passed, and ordered to be transmitted to the Assembly.

GENERAL FILE.

Senate Bill No. 233—An Act to provide for a system of common schools.

On motion of Mr. Oulton, the bill was made the special order for Tuesday next, at twelve o'clock, M.

Assembly Bill No. 321—An Act to reincorporate the Town of Santa Clara.

Read a third time and passed.

Assembly Bill No. 303—An Act to authorize the City of Vallejo to borrow money.

Read a third time and passed.

Assembly Bill No. 261—An Act to repeal an Act entitled an Act for the incorporation of the City of Anaheim, and appointing Commissioners to dispose of the property, pay the indebtedness, and settle the affairs thereof.

Read a third time and passed.

Assembly Bill No. 286—An Act supplemental to and amendatory of an Act entitled an Act to incorporate the Town of Chico.

Read a third time and passed.

Assembly Bill No. 67—An Act defining the time within which certain actions may be brought.

Referred to the Committee on Swamp and Overflowed Lands.

Assembly Bill No. 244—An Act for the relief of James R. Travers.

Read a third time and passed.

Mr. Duffy gave notice that he would to-morrow move a reconsideration of the vote by which the Senate passed Assembly Bill No. 244.

Mr. Wand moved to reconsider the vote by which Assembly Bill No. 67 was referred to the Committee on Swamp and Overflowed Lands.

Lost.

Assembly Bill No. 212—An Act to amend an Act supplementary to and amendatory of an Act entitled an Act to authorize the Boards of Supervisors of the several counties of this State to grant the right to construct wharves on the overflowed and submerged lands of this State,

approved April eighth, eighteen hundred and fifty-eight, and approved March thirty-first, eighteen hundred and seventy.

Referred to the Judiciary Committee.

Senate Bill No. 9—An Act to repeal an Act entitled an Act to prevent double taxation, approved April first, eighteen hundred and seventy.

Indefinitely postponed.

Senate Bill No. 268—An Act to amend an Act entitled an Act to regulate proceedings in civil cases, passed May first, eighteen hundred and fifty-one.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 223—An Act providing for the appointment of Reporter for the First Judicial District.

Substitute reported by the Judiciary Committee adopted, rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 265—An Act supplemental to an Act entitled an Act defining the time for commencing civil actions, passed April twenty-second, eighteen hundred and fifty.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 275—An Act to add an additional section to the Penal Code.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 187—An Act authorizing the holding of terms of Court in the Seventeenth Judicial District.

Report of Judiciary Committee, recommending that the bill do not pass, was adopted.

Senate Bill No. 244—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one.

Indefinitely postponed.

Senate Bill No. 273—An Act to more particularly define the boundary line between San Francisco and Alameda Counties.

Passed on file.

Senate Bill No. 310—An Act concerning service of summons upon absent defendants by publication.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 309—An Act to provide for the payment of the deficiency in the State Prison appropriation for the twenty-third fiscal year, ending June thirtieth, eighteen hundred and seventy-two.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 145—An Act amendatory of and supplementary to an Act entitled an Act to amend an Act to provide a system of common schools, approved April fourth, eighteen hundred and seventy.

Temporarily laid on the table.

Senate Bill No. 269—An Act to provide for the location, construction, and maintenance of public roads in the County of Colusa.

Passed on file.

Senate Resolution—Concerning claims of John Breuner and others.

Adopted.

Senate Bill No. 69—An Act concerning estrays in the Counties of Napa and Solano.

Amendments reported by the delegation adopted, and on motion of Mr. Tuttle, the bill was amended by striking out the word "Sonoma" where the same appears in the bill.

Also, on motion of Mr. Minis, amended by striking out the word "Solano" where the same appears.

The rules were suspended, bill considered engrossed, read a third time and passed. Title amended, and amendment to title adopted.

Senate Bill No. 236—An Act to provide for a special road tax in Napa County.

Passed on file.

Senate Bill No. 165—An Act to empower the Roadmaster of Pajaro Road District, of Santa Cruz County, to construct and maintain a ditch through the lands of Henry Wiley, of said district.

Substitute reported by the committee adopted, and bill ordered engrossed.

Senate Bill No. 305—An Act to authorize the Board of Supervisors of Tuolumne County to levy a special tax.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 206—An Act to amend an Act entitled an Act to define and limit the compensation of officers and reduce public expenses and taxation in the County of San Mateo, etc.

Substitute reported by the Committee on State and County Revenue adopted, rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 148—An Act to appropriate money to pay certain outstanding Indian war bonds issued by the State of California.

Report of Committee on Claims, recommending that the bill do not pass, was adopted.

Senate Bill No. 181—An Act to appropriate money to pay the outstanding Indian war bonds issued by the State of California.

Withdrawn.

Senate Bill No. 255—An Act to appropriate money for the relief of John J. McCredy.

Ordered engrossed.

At one o'clock P. M. the Senate took a recess for one hour.

REASSEMBLED.

Senate reassembled at two o'clock P. M.

President pro tem. in the chair.

Roll called.

Quorum present.

REPORTS.

By Mr. Maclay:

Mr. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 61—An Act to repeal an Act entitled an Act to empower the Boards of Supervisors of the several counties of the State to aid in the construction of a railroad in their respective counties, approved April fourth, eighteen hundred and seventy—have had the same under consideration, and report the same back with amendments, recommending the adoption of the amendments and the passage of the bill as amended.

MACLAY, Chairman.

Mr. O'Connor moved to suspend the rules for the consideration of Senate Bill No. 61, above reported.

Upon which the ayes and noes were demanded by Messrs. O'Connor, Larkin, and Maclay, and the Senate refused by the following vote:

Ayes—Messrs. Boucher, Crane, Dyer, Farley, Fowler, Goodale, Irwin, Larkin, McKusick, McMurry, Minis, Neff, O'Connor, Perkins, Tuttle, and Wand—16.

Noes—Messrs. Andross, Banvard, Betge, Boggs, Comte, Duffy, Finney, Garratt, Hutchings, Kent, Keys, Maclay, McCoy, Oulton, Pendegast, Tompkins, Turner, Van Ness, Wilson, and Wing—20.

By Mr. Wilson:

Mr. President: Your Committee on Agriculture, to whom was referred Assembly Bill No. 357—An Act amendatory of an Act entitled an Act for the more effectual prevention of cruelty to animals, approved March thirtieth, eighteen hundred and sixty-eight—have had the same under consideration, and report said bill back and recommend its passage.

Your committee have also considered Assembly Bill No. 287—An Act to prevent persons passing through inclosures and leaving them open, and tearing down fences to make passage through inclosures—and recommend its passage.

Your committee have also considered Senate Bill No. 242—An Act to create the office and define the duties of the State Board of Forest Commissioners, and to encourage the culture of forest and timber trees—and report the same back, recommending that section one of said Act be so amended as to read as follows:

Section 1. The Governor shall appoint three competent persons, who shall constitute a Board of Forest Commissioners, and be known as the State Board of Forest Commissioners; the said Board shall continue in their office for four years, and until their successors are appointed and qualified; *provided*, that in case of a vacancy the Governor shall have authority to fill such vacancy by appointment. The said Commissioners shall, immediately after their appointment and qualification, elect some competent person to the office of State Forester, who shall hold his office at the pleasure of the said Commissioners, and shall receive for his services the sum of one hundred and seventy-five dollars per month, to be paid as salaries are paid to other State officers.

And beg leave to submit the bill as amended without recommendation.

WILSON, Chairman.

On motion of Mr. Betge, Senate Bill No. 242, above reported, was made the special order for Thursday next, at two o'clock P. M.

By Mr. Comte:

Mr. President: The Sacramento delegation, to whom was referred Assembly Bill No. 406—An Act to authorize the County of Sacramento

to issue bonds—respectfully report the same back with an amendment, and recommend its passage as amended.

COMTE,
DUFFY,
Delegation.

On motion of Mr. Comte, the rules were suspended for the consideration of Assembly Bill No. 406, above reported.

Amendments reported by the Sacramento delegation adopted, bill read a third time and passed.

GENERAL FILE RESUMED.

Senate resumed consideration of General File, as follows:

Senate Bill No. 291—An Act for the relief of Joseph S. Emery.

Upon the engrossment of the bill, the ayes and noes were demanded by Messrs. Oulton, Minis, and McMurry, and the Senate so ordered by the following vote:

AYES—Messrs. Andross, Banvard, Boggs, Comte, Crane, Duffy, Dyer, Farley, Garratt, Irwin, Maclay, McCoy, McMurry, Minis, Neff, Perkins, Tompkins, Tuttle, Van Ness, Wilson, and Wing—21.

NOES—Messrs. Boucher, De Haven, Goodale, Hutchings, Larkin, McKusick, O'Connor, Oulton, Pendegast, Turner, and Wand—11.

Senate Resolution—Relative to payment of John Breuner, Hodge & Co., and Wells, Fargo & Co.

Adopted.

Senate Concurrent Resolution No. 37—Authorizing the Secretary of State to return map to W. S. Green.

Adopted.

Senate Bill No. 296—An Act to amend an Act entitled an Act concerning roads and highways in the County of San Mateo.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 271—An Act concerning roads in the County of Butte.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 321—An Act to amend an Act entitled an Act to authorize the issuance of bonds by the County of San Luis Obispo.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 185—An Act to amend an Act to provide for the sale and management of the lands belonging to the State.

Amendment reported by the Committee on Swamp and Overflowed Lands adopted.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 264—An Act concerning the San Diego and Gila, Southern Pacific, and Atlantic Railroad Company, and to extend the time of performing certain acts.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 190—Proposed amendment to the Constitution.

Referred to the Judiciary Committee.

Senate Bill No. 189—An Act to provide for a State Reformatory at San Quentin.

Referred to the Judiciary Committee.

Senate Bill No. 282—An Act to amend an Act entitled an Act to provide for the construction and maintenance of toll roads within the State of California.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 19—An Act to cede certain lands to the City of San Diego.

Referred to the Judiciary Committee.

Senate Bill No. 317—An Act to amend an Act entitled an Act to incorporate the City of Gilroy.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Resolution—Relative to payment of certain newspapers.

Adopted.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
March 1st, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this first day of March, passed Senate Bill No. 65—An Act to prevent the sale of intoxicating drinks to minors.

Also, passed Senate Bill No. 333—An Act supplementary to an Act entitled an Act to provide additional funds for the support of the common schools of Siskiyou County for the year commencing on the first day of July, eighteen hundred and seventy-one, and ending the thirtieth day of June, eighteen hundred and seventy-two, approved December twenty-first, eighteen hundred and seventy-one.

Also, passed Senate Concurrent Resolution No. 36—Relative to payment of expenses for equipping and arming of the California Volunteers in the years eighteen hundred and sixty-one, eighteen hundred and sixty-two, eighteen hundred and sixty-three, and eighteen hundred and sixty-four.

Also, passed Assembly Bill No. 305—An Act to provide for funding the indebtedness of the reclamation and levee districts of the State.

Also, passed Senate Joint Resolution No. 3—Relative to requesting Congress to raise weight of United States coin.

Also, passed Senate Bill No. 218—An Act making appropriation for deficiencies.

Also, passed Senate Concurrent Resolution No. 23—Relative to requesting Congress to appropriate public lands of the United States for educational purposes.

Also, passed Senate Bill No. 67—An Act to amend an Act to provide five competitive scholarships for the benefit of meritorious young men desirous of entering the State University.

Also, passed Senate Bill No. 153—An Act appropriating money to pay the contingent expenses of the Revision Commission.

Also, passed Senate Bill No. 231—An Act to more fully define the crime of larceny.

Also, passed Senate Bill No. 263—An Act to provide for the erection of a school house in Modesto School District, in the County of Stanislaus.

Also, adopted and passed Assembly substitute for Senate Bill No. 277—An Act to amend an Act entitled an Act to protect agriculture and to prevent the trespassing of animals upon private property in the County of Los Angeles and in the County of San Diego and parts of Monterey County, approved February fourteenth, eighteen hundred and seventy-two.

Also, passed under a suspension of the rules, and the same was ordered transmitted to the Senate without engrossment, Assembly Bill No. 395—An Act to reincorporate the City of San Jose.

Also, refused to pass Senate Bill No. 227—An Act to amend an Act entitled an Act to regulate the interest of money, passed March thirteenth, eighteen hundred and fifty.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 1st, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this first day of March, refused to recede from its amendments to Senate Bill No. 220—An Act to amend an Act entitled an Act to authorize the County of Santa Cruz to pay over certain school moneys to certain school districts in San Mateo County, approved March twenty-seventh, eighteen hundred and seventy.

Also, that the Speaker has appointed Messrs. Mott of Los Angeles, Rice, and Russ, as a committee of conference on the part of the Assembly on the disagreeing vote on Assembly Bill No. 277—An Act to prevent hunting and shooting on private grounds.

Also, this day, concurred in Senate Concurrent Resolution No. 40—Relative to requesting the Governor to return Senate Bill No. 107, for the purpose of correcting a clerical error.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 305, above reported, read first and second times and referred to Committee on Swamp and Overflowed Lands.

Assembly Bill No. 305, above reported, read first and second times and referred to the Santa Clara delegation.

Senate Bill No. 220, above reported—the Assembly refuse to recede from its amendments.

At four o'clock and forty-five minutes P. M., on motion of Mr. Larkin, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Saturday, March 2d, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

On motion of Mr. Pendegast, Mr. Beck was granted leave of absence for one day.

RESOLUTION.

Mr. Van Ness had leave to introduce the following resolution:

Resolved by the Senate, the Assembly concurring, That the Enrolling Clerk of the Senate be authorized to strike out "April nineteen," in line fourteen, first page, and insert "March twenty-seven," in Senate Bill No. 107.

Adopted.

REPORT.

By Mr. Banvard:

Mr. PRESIDENT: The Committee on Finance, to whom was referred Senate Bill No. 336—An Act to provide for the payment of expenses incurred in construction of new State Armory, and for services rendered in cleaning and restoring State military property—having had the same under consideration, report it back and recommend its passage.

Also, Senate Bill No. 175—An Act to promote and encourage immigration to the State of California—and recommend that it do not pass.

Also, substitute for Assembly Bill No. 233—An Act to provide for the payment of certain equitable claims of J. M. Hutchings, A. J. Black, and J. C. Lamon, settlers in the Yosemite Valley—and recommend that it do not pass.

Also, Senate Bill No. 237—An Act to inaugurate the production of iron and steel in California—a minority of the committee recommend its passage, and a majority of the committee recommend that it do not pass.

BANVARD, Chairman.

PETITION.

Mr. Farley presented a petition from citizens of Amador County for the passage of a bill authorizing the construction of a toll road from Sutter Creek to Amador City.

Referred to the Amador delegation.

REPORTS CONTINUED.

By Mr. Perkins:

Mr. PRESIDENT: The Committee on Claims, to whom was referred Assembly Bill No. 227—An Act for the relief of the California volunteer officers and sailors of the United States Navy who have honorably served within the State of California—have had the same under consideration, and respectfully report the bill back with the recommendation that it do not pass.

Also, have considered Senate Bill No. 104—An Act to provide for the payment of certain witnesses in the case of The People vs. Horace Smith—and respectfully report the same back without recommendation.

PERKINS, Chairman.

By Mr. Pendegast:

Mr. PRESIDENT: The Committee on Judiciary have had under consideration Senate Bill No. 180—An Act to be entitled an Act supplemental to an Act entitled an Act to provide for compensating parties whose property may be destroyed in consequence of mobs or riots, approved March twenty-seventh, eighteen hundred and sixty eight—and report the same back with amendments, and recommend the adoption of the amendments and the passage of the bill as amended.

PENDEGAST, for Committee.

By Mr. Maclay:

Mr. PRESIDENT: Your committee to whom was referred Assembly Bill No. 413—An Act to incorporate the City of San Diego—have had the same under consideration, report the same back and recommend its passage.

MACLAY, Chairman.

On motion of Mr. Maclay, the rules were suspended for the consideration of Assembly Bill No. 413, above reported.

The bill was read a third time and passed; title amended and amendment adopted.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Concurrent Resolution No. 39—To construct a seawall to form a breakwater on North Pacific Ocean, on coast of California.

Also, Senate Bill No. 315—An Act supplementary to an Act entitled an Act to define and establish the boundary line between the Counties of Inyo and Mono, approved March twenty-eighth, eighteen hundred and seventy.

Also, Senate Bill No. 335—An Act concerning the fees and salaries of certain officers in the County of Sonoma.

Also, Senate Bill No. 324—An Act to enable the City of Stockton to redeem its bonds falling due in the year eighteen hundred and seventy-three.

TUTTLE, for Committee.

Mr. Perkins verbally reported Assembly Bill No. 420, and recommended its passage.

The rules were suspended, and Assembly Bill No. 420, above reported, was read a third time and passed.

By Mr. McKusick:

Mr. PRESIDENT: The Alameda and Sacramento delegations, to whom was referred Senate substitute for Assembly Bill No. 11—An Act to amend an Act entitled an Act to consolidate certain school districts of the Counties of El Dorado and Sacramento, approved April twenty-fifth, eighteen hundred and sixty three—respectfully report that they have had the same under consideration, and recommend that the Senate concur in the amendment made by the Assembly.

COMTE,
DUFFY,
McKUSICK.

By Mr. Hutchings:

Mr. PRESIDENT: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 23—An Act to amend an Act entitled an Act to authorize and direct the municipal authorities of the several cities and incorporated towns of this State to execute certain trusts in relation to the town lands granted to the incorporated cities and towns in this State by the Act of Congress entitled an Act for the relief of the inhabitants of cities and towns upon the public lands, approved March second, eighteen hundred and sixty-seven, approved March twenty-fourth, eighteen hundred and sixty-eight.

Also, Senate Bill No. 155—An Act to provide for the establishment, maintenance, and protection of a public ford across the Stanislaus River and a public road to and from the same, in the County of Stanislaus.

Also, Senate Bill No. 232—An Act to amend an Act entitled an Act to incorporate the Town of Colusa, approved April fourth, eighteen hundred and seventy.

Also, Senate Bill No. 284—An Act to amend an Act entitled an Act to provide for redeeming and paying the warrants outstanding against Tuolumne County, and for paying the current expenses of said county, in cash, and defining and limiting the duties of certain officers in relation thereto.

Also, Senate Bill No. 301—An Act to appoint additional Notaries Public for the County of San Diego.

And have presented the same to the Governor, for his signature, this day at ten o'clock and forty minutes A. M.

HUTCHINGS, Chairman.

Mr. PRESIDENT: Your Committee on Enrollment respectfully report that they have examined and find correctly enrolled Senate Bill No. 333—An Act supplementary to an Act entitled an Act to provide additional funds for the support of the common schools of Siskiyou County for the year commencing on the first day of July, eighteen hundred and seventy-one, and ending on the thirtieth day of June, eighteen hundred and seventy-two, approved December twenty-first, eighteen hundred and

seventy-one—and have presented the same to the Governor, for his approval, this day at ten o'clock and forty minutes A. M.

HUTCHINGS, Chairman.

Mr. PRESIDENT: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Concurrent Resolution No. 8—In respect to turning San Diego River—and have presented the same to the Governor, for his signature, this day at ten o'clock and forty minutes A. M.

HUTCHINGS, Chairman.

Mr. PRESIDENT: Your Committee on Enrollment respectfully report that they have examined and find correctly enrolled Senate Bill No. 228—An Act to provide for deficiencies in the Funds of the school districts of Contra Costa County.

Also, Senate Bill No. 280—An Act supplemental to an Act entitled an Act for the maintenance of public roads and trails in the County of Sierra, approved February ninth, eighteen hundred and sixty six.

Also, Senate Bill No. 65—An Act to prevent the sale of intoxicating drinks to minors.

Also, Senate Bill No. 166—An Act to provide for sprinkling the streets of San Francisco.

And have presented the same to the Governor for his signature, this day at ten o'clock and forty minutes A. M.

HUTCHINGS, Chairman.

By Mr. Boggs:

Mr. PRESIDENT: The delegation to whom was referred Senate Bill No. 313—An Act relative to unpaid warrants and assessments in Reclamation District Number One Hundred and Eight—report the same back and recommend its passage.

BOGGS, for Delegation.

Mr. Maclay verbally reported Assembly Bill No. 320, and recommended its passage.

Mr. Conte verbally reported Assembly Bill No. 401, with amendments, and recommended its passage.

The rules were suspended, and Assembly Bill No. 401, above reported, was read a third time and passed.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
March 2d, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the first day of March, concurred in Senate Concurrent Resolution No. 38—Relative to payment of claim of R. K. Wick for funeral expenses of the late Chief Justice R. T. Sprague.

DIXON, Assistant Clerk.

Senate Bill No. 277, heretofore reported from the Assembly with a substitute, on motion of Mr. Fowler, the substitute was adopted by the Senate.

REPORT.

Mr. Keys presented a report from the Committee on State Hospitals in reference to the Insane Asylum at Stockton.

Ordered printed and referred to the Finance Committee.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By the Finance Committee—An Act appropriating fifty-six thousand dollars in United States legal tender notes for the payment of the necessary incidental expenses of the State Capitol and Governor's Mansion.

Read first and second times and ordered on file.

Also, an Act authorizing the issuance of State bonds to the amount of two hundred and fifty thousand dollars, to be known as State Capitol Bonds of Eighteen Hundred and Seventy-two.

Read first and second times and ordered on file.

MOTIONS, RESOLUTIONS, AND NOTICES.

On motion of Mr. Pendegast, Senate Bill No. 66 was placed at the head of the General File for this day.

By Mr. Tompkins:

Resolved, That when the Senate adjourn this day it be until Monday, March fourth, at half past two o'clock P. M.

Adopted.

GENERAL FILE.

Senate Bill No. 66—An Act for the relief of the sufferers by the diversion of the American River.

Substitute reported by the Judiciary Committee adopted by the Senate.

Mr. Comte moved to indefinitely postpone the bill, upon which the ayes and noes were demanded by Messrs. Banvard, Larkin, and Duffy, and the Senate refused by the following vote:

AYES—Messrs. Betge, Comte, Crane, Duffy, Dyer, Fowler, Goodale, Hutchings, Keys, McCoy, McKusick, Perkins, Tompkins, Wand, Wilson, and Wing—16.

NOES—Messrs. Andross, Banvard, Boucher, De Haven, Evans, Farley, Garratt, Irwin, Kent, Larkin, Minis, Neff, O'Connor, Pendegast, Turner, Tuttle, and Van Ness—17.

Upon ordering the bill engrossed, the ayes and noes were demanded by Messrs. Comte, Duffy, and Betge, and the Senate refused by the following vote:

AYES—Messrs. Andross, Banvard, De Haven, Evans, Farley, Garratt, Irwin, Kent, Larkin, Neff, O'Connor, Pendegast, Turner, Tuttle, and Van Ness—15.

NOES—Messrs. Betge, Boggs, Boucher, Comte, Crane, Duffy, Dyer, Finney, Fowler, Goodale, Hutchings, Keys, McCoy, McKusick, Minis, Perkins, Tompkins, Wand, Wilson, and Wing—20.

Mr. Minis gave notice that he would on Monday move to reconsider the vote by which the Senate refused to order to engrossment Senate Bill No. 66.

RESOLUTION.

By Mr. Minis:

Joint resolution relative to memorializing Congress for appropriations for the benefit of the Signal Service of the Pacific Coast.

Read and adopted.

At one o'clock and twenty-five minutes P. M., on motion of Mr. Fowler, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Monday, March 4th, 1872.

Senate met pursuant to adjournment.
President in the Chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of Saturday read and approved.

REPORTS.

Reports were made as follows:

By Mr. Evans:

Mr. PRESIDENT: The Military Committee, to whom was referred Assembly Bill No. 145—An Act defining and limiting the time for the payment of bounties and relief pay due the volunteers of the State of California and troops furnished the United States as a portion of its quota—have had the same under consideration and report as follows:

This bill provides for the extension of the benefits of the California Bounty Act, approved April nineteenth, eighteen hundred and sixty-four, and the Act for the relief of the enlisted men of the California Volunteers, approved April twenty-seventh, eighteen hundred and sixty-three, and the Acts amendatory and supplemental thereto, to all soldiers who enlisted in the Second and Third Artillery, Ninth Infantry United States Army, and the United States Marine Corps, and allows the claims to be filed any time between the passage of this Act and the thirty-first day of December, eighteen hundred and seventy-five; and in case a notice is filed on or before the said thirty-first day of December, eighteen

hundred and seventy-five, of the intention to file a claim, it shall be lawful to file said claim at any time—there is no limitation.

In eighteen hundred and sixty seven, some one hundred and fifty or two hundred of the parties to whom the benefits of the Acts alluded to is attempted to be extended through the provisions of this Act, made application to the Adjutant General of this State for their bounty, etc., under said Acts, and the Adjutant General refusing to certify up such claims, the said parties commenced suit against the Adjutant General and Board of Examiners, in the Supreme Court of this State, by an application for a writ of mandamus to compel said Board to audit and allow their said claims, and the Supreme Court, after a full hearing, decided unanimously against their said demands.

The highest tribunal known to the law in such cases having unanimously decided that these men had no claim under the law, and that the Legislature, in passing the Acts, did not intend to include them as coming within its provisions, your committee are of the opinion that it would, to say the least, be bad policy, at this late day, to commence issuing and selling more State bonds to pay claims amounting to forty or fifty thousand dollars, and perhaps even more, to parties that the Courts have held have no claim against the State, either in law or in equity. We therefore recommend that the bill do not pass.

EVANS, Chairman.

By Mr. Wilson:

Mr. PRESIDENT: The Committee on Agriculture, to whom was referred Senate Bill No. 320—An Act to protect agriculture, and to prevent the trespassing of animals in the County of Colusa—having duly considered the same, beg leave to report said bill back and recommend its passage.

WILSON, Chairman.

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 310—An Act concerning service of summons upon absent defendants by publication.

Also, Senate Bill No. 265—An Act supplemental to an Act entitled an Act defining the time for commencing civil actions, passed April twenty-second, eighteen hundred and fifty.

Also, Senate Bill No. 341—An Act to regulate the fees of the Sheriff of the County of Santa Cruz.

Also, Senate Bill No. 316—An Act to authorize the issue of bonds by the County of Inyo to erect county bridges and buildings.

Also, Senate Bill No. 305—An Act to authorize the Board of Supervisors of Tuolumne County to levy a special tax to pay certain bonds against said county.

Also, Senate Bill No. 33—An Act to enforce the education of children.

Also, Senate Bill No. 206—An Act to amend an Act entitled an Act to define and limit the compensation of officers and reduce public expenses and taxation in the County of San Mateo, approved February sixteenth, eighteen hundred and sixty-four.

Also, Senate Bill 223—An Act providing for the appointment of a Reporter of the First Judicial District in this State.

Also, Senate Bill No. 69—An Act concerning estrays in the County of Napa.

NEFF, for Committee.

Mr. Tuttle verbally reported Senate Bill No. 337, and recommended its passage.

By Mr. Pendegast:

Mr. PRESIDENT: The Napa and Lake delegations, to whom was referred Assembly Bill No. 332—An Act to define the northern boundary line of Napa County, adjoining Lake and Yolo Counties—respectfully report the same back to the Senate.

The object of the bill is to detach from the territory of Lake County a small portion thereof and add it to the territory of Napa County. There is no question but that the convenience of the people in the section affected requires the change. A petition, signed by every voter and taxpayer in the district, is sufficient proof on this point. The bill has been pending for a long time, and full notice of its purpose has been given to the other portions of Lake County and, no objection has been made in any quarter.

It is provided in the bill that Napa County shall pay to Lake the sum of thirty-five hundred dollars, as the proportion of the debt of Lake County which would be a charge upon the property in the detached district. This sum is in excess of a just proportion, but it is consented to by the respective counties.

The passage of the bill is respectfully recommended.

PENDEGAST, for Delegations.

Mr. McCoy verbally reported Assembly Bill No. 404, and recommended that the same be referred to the Committee on State and County Revenue.

On motion of Mr. McCoy, Assembly Bill No. 404, above reported, was referred to the Committee on State and County Revenue.

By Mr. Pendegast:

Mr. PRESIDENT: The Napa delegation, to whom was referred Senate Bill No. 270—An Act to amend an Act to prevent the destruction of fish in the waters of Napa River and Sonoma Creek—report the same back, with a substitute, and respectfully recommend the adoption and passage of the substitute.

PENDEGAST, for the Delegation.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 2d, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 267—An Act to regulate the salary of the County Treasurer of Stanislaus County.

Also, Senate Bill No. 193—An Act to regulate the terms of the County Court and Probate Court of the several counties of this State.

NEWTON BOOTH, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 2d, 1872. }

To the Senate of the State of California:

I have to inform you honorable body that I have approved Senate Bill No. 118—An Act amendatory of and supplementary to an Act entitled an Act to incorporate the Town of Eureka, approved April ninth, eighteen hundred and fifty-nine.

Also, Senate Bill No. 283—An Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act concerning roads and highways in the County of Tuolumne, approved February twenty-seventh, eighteen hundred and sixty-six, approved April second, eighteen hundred and seventy.

Also, Senate Bill No. 53—An Act to punish seduction.

Also, Senate Bill No. 135—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties, approved April twenty-fifth, A. D. eighteen hundred and sixty-two.

Also, Senate Bill No. 183—An Act concerning the official bond of the Public Administrator of Contra Costa County.

NEWTON BOOTH, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 2d, 1872. }

To the Senate of the State of California:

In accordance with a concurrent resolution, I herewith return to your honorable body Senate Bill No. 107—An Act to reincorporate the Town of San Luis Obispo—for the purpose of correcting a clerical error.

NEWTON BOOTH, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 4th, 1872. }

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 333—An Act supplementary to an Act entitled an Act to provide additional funds for the support of the common schools of Siskiyou County for the year commencing on the first day of July, eighteen hundred and seventy-one, and ending the thirtieth day of June, eighteen hundred and seventy-two, approved December twenty-first, eighteen hundred and seventy-one.

Also, Senate Bill No. 228—An Act to provide for deficiencies in the Funds of the school districts of Contra Costa County.

Also, Senate Bill No. 280—An Act supplemental to an Act entitled an Act for the maintenance of public roads and trails in the County of Sierra, approved February ninth, eighteen hundred and sixty-six.

Also, Senate Bill No. 232—An Act to amend an Act entitled an Act to incorporate the Town of Colusa, approved April fourth, eighteen hundred and seventy.

Also, Senate Bill No. 65—An Act to prevent the sale of intoxicating drinks to minors.

Also, Senate Bill No. 23—An Act to amend an Act entitled an Act to authorize and direct the municipal authorities of the several cities and incorporated towns of this State to execute certain trusts in relation to the town lands granted to the incorporated cities and towns of this State by the Act of Congress entitled an Act for the relief of the inhabitants of cities and towns upon the public lands, approved March second, eighteen hundred and sixty-seven, approved March twenty-fourth, eighteen hundred and sixty-eight.

Also, Senate Bill No. 301—An Act to appoint additional Notaries Public for the County of San Diego.

Also, Senate Bill No. 107—An Act to reincorporate the Town of San Luis Obispo.

Also, Senate Bill No. 174—An Act for the relief of Michael Conniff.

NEWTON BOOTH, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 4th, 1872.

To the Senate of the State of California:

Senate Bill No. 166—An Act to provide for sprinkling the streets of San Francisco—is hereby respectfully returned to your honorable body without my approval.

The bill seems to be strictly in the nature of a city ordinance. If the Legislature of the State is to regulate such municipal concerns as the sprinkling of the streets of San Francisco, what is the use of maintaining a municipal government at all in that city?

If the local authorities have not the power requisite, there is time enough to confer it, as there is no emergency requiring immediate action in the matter of sprinkling the streets.

NEWTON BOOTH, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 4th, 1872.

To the Senate of the State of California:

I hereby nominate the following named persons as Port Wardens for the Port and Harbor of San Francisco, and respectfully ask your honorable body to confirm the same, commissions to take effect March second, eighteen hundred and seventy-two: Isaac Swain, vice Heath, term expired; Archibald Harloe, vice O'Reilly, term expired; Porter Haden, vice Wilson, term expired.

NEWTON BOOTH, Governor.

CONSIDERATION OF GOVERNOR'S MESSAGES.

On motion of Mr. Garratt, the consideration of the Governor's message, returning without his approval Senate Bill No. 166, was postponed for one day.

On motion of Mr. Oulton, the Governor's message transmitting appointment of Port Wardens was made the special order for to morrow at eleven o'clock and forty-five minutes.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
March 2d, 1862.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this second day of March, passed Senate Bill No. 298.—An Act to provide funds for the construction and improvement of highways in the County of San Mateo.

Also, concurred in Senate Concurent Resolution No. 37—Authorizing the Secretary of State to return to W. S. Green the report and map of the Sacramento Valley, placed in his office by Mr. Green.

Also, concurred in Senate Concurrent Resolution No. 41—Relative to correction of error in Senate Bill No. 107.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 2d, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this second day of March, passed Assembly Bill No. 485—An Act creating the Nineteenth and Twentieth Judicial Districts, and defining the Third, Fourth, and Fifteenth Judicial Districts.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 2d, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this second day of March, passed, under suspension of the rules, and ordered the same transmitted to the Senate without engrossment, Assembly Bill No. 448—An Act to provide for the liquidation and payment of the indebtedness of Yolo School District, in the County of Yolo.

Also, passed, under suspension of the rules, and ordered the same transmitted to the Senate without engrossment, Assembly Bill No. 452—An Act to increase the number of Notaries Public in the County of Plumas.

Also, passed, under a suspension of the rules, and ordered the same transmitted to the Senate without engrossment, Assembly Bill No. 439—An Act authorizing the Trustees of the San Buenaventura School Dis-

trict, of the County of Santa Barbara, in this State, to issue bonds for the said district for the sum of ten thousand dollars.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 452, above reported, read first and second times and referred to the Plumas delegation.

Assembly Bill No. 448, above reported, read first and second times and referred to the Yolo delegation.

Assembly Bill No. 439, above reported, read first and second times and referred to the Santa Barbara delegation.

Assembly Bill No. 485, above reported, read first and second times and referred to the Judiciary Committee.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Keys—An Act to provide further accommodation for the insane of the State of California, and to provide a special Fund therefor.

Read first and second times, ordered on file, and ordered printed.

By Mr. McMurry—An Act to fix the salary of the members of the Board of Supervisors of the County of Trinity.

Read first and second times and ordered on file.

By Mr. Pendegast—An Act concerning the salary of the District Attorney of Lake County.

Read first and second times and ordered on file.

By Mr. Farley—An Act to provide for the construction of a public road from the Town of Amador City to the Town of Sutter Creek, in Amador County, and the collection of tolls thereon.

Read first and second times and referred to the Amador delegation.

By Mr. Minis—An Act to establish meteorological stations in the various counties of this State.

Read first and second times and referred to the Committee on Agriculture, and ordered printed.

By Mr. Turner—An Act concerning a certain road in the County of Sierra.

Read first and second times and ordered on file.

MOTIONS, RESOLUTIONS, AND NOTICES.

Pursuant to notice, Mr. Minis moved to reconsider the vote by which the Senate, on Saturday, refused to order to engrossment Senate Bill No. 66.

Mr. Comte moved to indefinitely postpone the motion to reconsider, upon which the ayes and noes were demanded by Messrs. Banvard, Minis, and Larkin, and the Senate refused by the following vote:

AYES—Messrs. Beck, Betge, Boggs, Boucher, Comte, Crane, Duffy, Dyer, Fowler, Goodale, Hutchings, Keys, McCoy, Perkins, Tompkins, Wand, and Wilson—17.

NOES—Messrs. Andross, Banvard, De Haven, Evans, Farley, Garratt, Irwin, Kent, Larkin, McKusick, Minis, Neff, O'Connor, Oulton, Pendegast, Turner, Tuttle, Van Ness, and Wing—19.

Upon the motion to reconsider, the ayes and noes were demanded by Messrs. Comte, Neff, and Oulton, and the Senate so ordered by the following vote:

AYES—Messrs. Andross, Banvard, De Haven, Evans, Farley, Garratt, Irwin, Kent, Larkin, McKusick, Minis, Neff, O'Connor, Oulton, Pendegast, Turner, Tuttle, Van Ness, and Wing—19.

NOES—Messrs. Beck, Betge, Boggs, Boucher, Comte, Crane, Duffy, Dyer, Fowler, Goodale, Hutchings, Keys, McCoy, McMurry, Perkins, Tompkins, Wand, and Wilson—18.

Mr. Comte moved to strike out the enacting clause, upon which the ayes and noes were demanded by Messrs. Comte, Minis, and Tuttle, and the roll was called with the following vote:

AYES—Messrs. Beck, Betge, Boggs, Boucher, Comte, Crane, Duffy, Dyer, Finney, Goodale, Hutchings, Keys, McCoy, McMurry, Perkins, Tompkins, Wand, Wilson, and Wing—19.

NOES—Messrs. Andross, Banvard, De Haven, Evans, Farley, Fowler, Garratt, Irwin, Kent, Larkin, McKusick, Minis, Neff, O'Connor, Oulton, Pendegast, Turner, Tuttle, and Van Ness—19.

There being a tie vote, the President, in the exercise of his constitutional privilege, voted in the negative, and the motion was lost.

GENERAL FILE.

Senate Bill No. 226—An Act to continue the geological survey of the State of California.

Mr. Larkin moved to recommit the bill to the Finance Committee with special instructions, upon which the ayes and noes were demanded by Messrs. Larkin, Wand, and Fowler, and the Senate refused by the following vote:

AYES—Messrs. Larkin, McMurry, and O'Connor—3.

NOES—Messrs. Andross, Banvard, Beck, Betge, Boggs, Boucher, Comte, Crane, De Haven, Duffy, Dyer, Evans, Farley, Finney, Fowler, Garratt, Goodale, Hutchings, Irwin, Kent, Keys, Maclay, McCoy, McKusick, Minis, Neff, Oulton, Pendegast, Perkins, Tompkins, Turner, Van Ness, Wand, Wilson, and Wing—35.

The bill was read a third time, and, upon the passage of the bill, the ayes and noes were demanded by Messrs. Larkin, Evans, and Oulton, and the Senate so ordered by the following vote:

AYES—Messrs. Andross, Banvard, Beck, Betge, Boggs, Boucher, Comte, Crane, DeHaven, Duffy, Dyer, Evans, Farley, Finney, Hutchings, Irwin, Kent, Keys, Maclay, McCoy, McKusick, McMurry, Minis, Neff, O'Connor, Oulton, Pendegast, Perkins, Tompkins, Turner, Van Ness, Wand, Wilson, and Wing—36.

NOES—Messrs. Fowler and Larkin—2.

At five o'clock and fifteen minutes P. M., on motion of Mr. Fowler, the Senate adjourned.

J. T. FARLEY,
President pro tem.

ROBERT FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Tuesday, March 5th, 1872.

Senate met pursuant to adjournment.
President in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

REPORTS.

The following reports were made:

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 255—An Act to appropriate money for the relief of John J. McCredy.

Also, Senate Bill No. 282—An Act to amend an Act entitled an Act to provide for the construction and maintenance of toll roads within the State of California, approved April fourth, eighteen hundred and seventy.

Also, Senate Bill No. 317—An Act to amend an Act entitled an Act to incorporate the City of Gilroy, approved March twelfth, eighteen hundred and seventy.

Also, Senate Bill No. 200—An Act concerning trespasses on lands in the Counties of Santa Barbara and San Luis Obispo.

NEFF, for Committee.

By Mr. Hutchings:

Mr. PRESIDENT: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 277—An Act to amend an Act entitled an Act to protect agriculture and to prevent the trespassing of animals upon private property in the County of Los Angeles, and in the County of San Diego, and parts of Monterey County, approved February fourteenth, eighteen hundred and seventy-two.

Also, Senate Bill No. 218—An Act making appropriation for deficiencies.

Also, Senate Bill No. 153—An Act appropriating money to pay the contingent expenses of the Revision Commission.

And have presented the same to the Governor, for his signature, at nine o'clock and forty minutes A. M.

HUTCHINGS.

By Mr. Beck:

Mr. PRESIDENT: Your Committee on Public Buildings, to whom was referred Senate Bill No. 70—An Act to provide additional grounds for the State Capitol in the City of Sacramento—report the bill back and recommend its passage.

BECK, for Committee.

By Mr. Boucher:

Mr. PRESIDENT: The Plumas delegation, to whom was referred Assembly Bill No. 152—An Act to increase the number of Notaries Public in the County of Plumas—have had the same under consideration and respectfully report the bill back and recommend its passage.

BOUCHER, for Delegation.

By Mr. Tompkins:

Mr. PRESIDENT: The Committee on Judiciary have had under consideration Senate Bill No. 253—An Act authorizing John Spriggs, an alien, to inherit the estate of his brother, Thomas Spriggs, deceased.

Also, Senate Bill No. 303—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Also, Senate Bill No. 274—An Act to amend section three hundred and sixty four of an Act entitled an Act to regulate proceedings in criminal cases, approved May first, eighteen hundred and fifty-one.

Also, Senate Bill No. 327—An Act to repeal an Act entitled an Act to amend an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, approved April twenty-seventh, eighteen hundred and sixty-three.

Also, Senate Bill No. 311—An Act in regard to the practice in the Police Judge's Court of the City and County of San Francisco.

Also, Assembly Joint Resolution No. 8—Relative to asking Congress to propose an amendment to the Constitution of the United States changing time and place of electing United States Senators.

And report the same back and recommend that they do not pass.

Also, had under consideration Senate Bill No. 339—An Act authorizing the transcription of certain records in the County of San Luis Obispo.

Also, Senate Bill No. 340—An Act to authorize the Board of Supervisors of the County of San Luis Obispo to audit and allow the claim of M. B. Harrison.

And report the same back with amendments, and recommend the adoption of the amendments and the passage of the bills as amended.

Your committee report back Assembly Bill No. 282—An Act to allow certain persons therein named, and their associates and assigns, to take possession of and improve a certain road in the County of Sacramento.

This bill, after engrossment, appears to have been amended in the Assembly and the amendments attached thereto, and without reengrossment seems accidentally to have been transmitted to the Senate. The amendments do not appear properly authenticated, and the committee

are in some doubt whether they were adopted by the Assembly, and therefore recommend that the bill be returned to the Assembly, and the Assembly be most respectfully requested to have the bill engrossed as it passed that body.

TOMPKINS, Chairman.

On motion of Mr. Tompkins, Assembly Bill No. 282, above reported, was ordered returned to the Assembly.

By Mr. Banvard:

Mr. PRESIDENT: The Committee on Finance, to whom was referred Senate Bill No. 299—An Act to fund the Indian war indebtedness of the State—having had the same under consideration, beg leave to report it back, and recommend its reference to the Committee on Judiciary. As the bill authorizes the issuance of bonds to the amount of one hundred and ninety thousand dollars, the Committee were in doubt as to whether the issuance of said bonds would be in conflict with Article VIII of the Constitution, which inhibits the creation of any debt or liabilities which shall singly or in the aggregate, with any previous debts or liabilities, exceed the sum of three hundred thousand dollars, etc.

BANVARD, Chairman.

On motion of Mr. Banvard, Senate Bill No. 299, above reported, was referred to the Judiciary Committee.

Mr. Minis verbally reported Assembly Bill No. 448, and recommended its passage.

On motion of Mr. Minis, the rules were suspended, and Assembly Bill No. 448, above reported, was read a third time and passed.

MESSAGES FROM THE ASSEMBLY.

The following message were received from the Assembly:

ASSEMBLY CHAMBER,
March 4th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty ninth day of February, passed Assembly Bill No. 260—An Act to amend an Act to provide for a system of common schools, approved April fourth, eighteen hundred and seventy.

Also, on the same day, passed Assembly Bill No. 331—An Act to authorize the Board of Supervisors of Tehama County to levy a special tax for school purposes in the school districts of Red Bluff, in Tehama County.

Also, on the same day, passed Assembly Bill No. 248—An Act to grant to the Town of San Bernardino all the interest of the State in certain real property.

Also, on the same day, passed Assembly Bill No. 353—An Act to remedy defects in certain county records.

Also, on the same day, passed Assembly Bill No. 362—An Act to submit to the qualified electors of Alpine County the question of relocating the county seat of said county.

Also, on the same day, passed Assembly Bill No. 193—Proposed amendment to the Constitution of the State of California.

Also, on the same day, passed Memorial and Joint Resolution No. 16—Relative to the occupation of Hoopa Valley, in Klamath County, as an Indian reservation.

Also, on the same day, passed Assembly Bill No. 276—An Act supplementary to an Act creating the office of Insurance Commissioner, approved March twenty-sixth, eighteen hundred and sixty eight.

Also, on the same day, passed Assembly Bill No. 274—An Act to amend an Act entitled an Act to authorize the Exempt Fire Company of San Francisco to receive and manage the San Francisco Fire Department Charitable Fund, and receive from the City and County of San Francisco a house and lot for its use, approved April second, eighteen hundred and sixty-six.

Also, on the same day, passed Assembly Bill No. 298—An Act to confirm the title to a certain lot of land in the City and County of San Francisco to the Trustees of the Associated Veterans of the Mexican War, and to authorize an exchange of said lands for certain property belonging to said city and county, or for a lease thereof.

Also, on the same day, passed Assembly Bill No. 315—An Act defining the duties of the County Assessor of Santa Clara County.

Also, on the same day, passed Assembly Bill No. 370—An Act in relation to the assessment and levy of taxes in Calaveras County.

Also, on the same day, passed Assembly Bill No. 113—An Act for the relief of D. B. Akey.

Also, on the same day, passed Assembly Bill No. 369—An Act to encourage the destruction of squirrels and gophers.

Also, on the same day, passed substitute for Assembly Bill No. 83—An Act to repeal an Act entitled an Act to make, open, and establish a public street in the City and County of San Francisco, to be called Montgomery Street South, and to take private lands therefor, approved March seventeenth, eighteen hundred and seventy, and to provide for the payment of expenses incurred under said Act.

Also, on the same day, passed substitute for Assembly Bill No. 108—An Act to repeal an Act entitled an Act authorizing the condemnation of private property within the limits of the Laguna Survey, approved March twenty fifth, eighteen hundred and seventy, and to provide for the payment of the expenses incurred under said Act.

Also, on the same day, passed Assembly Bill No. 247—An Act concerning public wharves.

Also, on the second instant, passed Senate Bill No. 160—An Act to pay the expenses necessarily incurred in suppressing Indian hostilities in the Counties of Humboldt and Trinity in the years eighteen hundred and sixty-eight and eighteen hundred and sixty-nine.

Also, on the same day, passed Senate Bill No. 258—An Act to change the name of the Front street, Mission, and Ocean Railroad Company.

Also, on the same day, passed Senate Bill No. 332—An Act supplementary to and amendatory of an Act entitled an Act to provide for the building of a Court House and Jail in Marin County, etc.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 5th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the first instant, passed Assembly Bill No. 358—An Act to establish pilots and pilot regulations for the Port of San Diego.

Also, on the same day, passed Assembly Bill No. 165—An Act for the relief of John Jackson, Sheriff and ex officio Tax Collector of Trinity County.

Also, on the same day, passed Assembly Bill No. 367—An Act to pay the claim of James T. Boyd.

Also, on the same day, passed Assembly Bill No. 397—An Act to provide for the county printing of Monterey County.

Also, on the same day, passed Assembly Bill No. 394—An Act to authorize the City of San José to issue bonds to provide sewerage for said city.

Also, on the same day, passed Assembly Bill No. 486—An Act declaring a certain creek in Washington Township, Alameda County, navigable.

Also, on the fourth instant, passed Assembly Bill No. 133—An Act to amend an Act entitled an Act to regulate proceedings in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one.

Also, on the same day, passed Assembly Bill No. 311—An Act to establish a State Printing Office, and to create the office of Superintendent of State Printing.

Also, on the same day, passed Senate Bill No. 252—An Act to amend an Act entitled an Act to provide revenue for the support of the Government of this State.

Also, on the same day, passed, with amendments, Senate Bill No. 257—An Act to provide for the opening and improvement of Santa Clara and Saratoga Avenue, in the County of Santa Clara.

Also, on the same day, passed under a suspension of the rules, Assembly Bill No. 488—An Act for the relief of D. Botiller.

Also, on the same day, concurred in Senate Concurrent Resolution No. 39—To construct a seawall to form a breakwater on the North Pacific Ocean, on the coast of California, for refuge of vessels.

Also, on the same day, concurred in Senate Concurrent Resolution No. 42—Requesting Congress to establish a Signal Service Station at Sacramento, California.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 260, above reported, read first and second times and referred to the Committee on Education.

Assembly Bill No. 331, above reported, read first and second times and referred to the Tehama delegation.

Assembly Bill No. 248, above reported, read first and second times and referred to the San Bernardino delegation.

Assembly Bill No. 353, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 362, above reported, read first and second times and referred to the Committee on County and County Boundaries.

Assembly Bill No. 193, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Joint Resolution No. 16, above reported, read first and second times and referred to the Committee on Federal Relations.

Assembly Bill No. 274, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 276, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 298, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 345, above reported, read first and second times and referred to the Santa Clara delegation.

Assembly Bill No. 370, above reported, read first and second times and referred to the Calaveras delegation.

Assembly Bill No. 113, above reported, read first and second times and referred to the Committee on Claims.

Assembly Bill No. 369, above reported, read first and second times and referred to the Committee on Agriculture.

Assembly Bill No. 83, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 108, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 247, above reported, read first and second times and referred to the Committee on Commerce and Navigation.

Assembly Bill No. 358, above reported, read first and second times and referred to the Committee on Commerce and Navigation.

Assembly Bill No. 165, above reported, read first and second times and referred to the Committee on Claims.

Assembly Bill No. 367, above reported, read first and second times and referred to the Committee on Claims.

Assembly Bill No. 397, above reported, read first and second times and referred to the Monterey delegation.

Assembly Bill No. 394, above reported, read first and second times and referred to the Santa Clara delegation.

Assembly Bill No. 486, above reported, read first and second times and referred to the Alameda delegation.

Assembly Bill No. 133, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 311, above reported, read first and second times and referred to the Committee on Printing.

Assembly Bill No. 488, above reported, read first and second times and referred to the Committee on Claims.

Senate Bill No. 257, above reported with amendments, referred to the Santa Clara delegation.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Comte:

An Act to establish and maintain a dispensary in the City of Sacramento.

Read first and second times and referred to the Sacramento delegation.

By Mr. Wand:

Resolved by the Senate, the Assembly concurring, That James Woodworth be and he is hereby allowed thirty days pay, at a per diem of five dollars, and seventy-six dollars and eighty cents mileage, for services as Clerk of the Joint Committee on State Prison and Prison Buildings. Also, that Len Harris be and he is hereby allowed fifteen days pay at a per diem of five dollars, and seventy-six dollars and eighty cents mileage, for services as Sergeant at Arms of same committee; and that the Controller of State is hereby authorized to draw his warrants for one half of the above sum on the Contingent Fund of the Senate, and one half on the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

Read and referred to the Committee on Contingent Expenses.

By Mr. Banvard:

Resolved, That the State Prison Committee, composed of Senators Wand, Farley, Minis, Garratt, and Goodale, be and they are hereby allowed seventy six dollars and eighty cents each, as mileage, in traveling to and from the State Prison, Folsom, and Rocklin, on committee duty; and that the Controller of State is hereby authorized to draw his warrant on the Contingent Fund of the Senate for the several amounts, and the Treasurer is hereby directed to pay the same.

Rules suspended and the resolution adopted.

GENERAL FILE.

Senate Bill No. 103—An Act to provide for the assessment of encumbered real estate, and all bills relating thereto.

Upon the engrossment of the bill, the ayes and noes were demanded by Messrs. Crane, Larkin, and McKusick, and the Senate so ordered by the following vote:

Ayes—Messrs. Andross, Beck, Boggs, Comte, Duffy, Evans, Fowler, Garratt, Goodale, Gwin, Hutchings, Kent, Keys, Larkin, Maclay, McCoy, Oulton, Pendegast, Tompkins, Van Ness, Wand, Wilson, and Wing—23.

Noes—Messrs. Banvard, Betge, Boucher, Crane, De Haven, Dyer, Farley, Irwin, McKusick, McMurry, Minis, Neff, O'Connor, Perkins, Turner, and Tuttle—16.

SPECIAL ORDER.

Governor's message relative to appointment of Port Wardens.

On motion of Mr. Wand, the consideration of the special order was postponed until Thursday next at eleven o'clock A. M.

INTRODUCTION OF BILLS.

Bills were introduced as follows by leave, out of order:

By Mr. Pendegast—An Act supplementary to an Act entitled an Act to authorize the Board of Supervisors of Mendocino County to issue bonds of said county and apply the same to the construction of wagon roads in said county, approved February twentieth, eighteen hundred and seventy-two.

Read first and second times, rules suspended, bill considered engrossed, read a third time, and passed.

By Mr. Kusick—An Act to provide for the election of a Treasurer and Tax Collector for the County of El Dorado, and to fix their compensation.

Read first and second times and referred to the El Dorado delegation.

Also, an Act amendatory of and supplementary to an Act entitled an Act to reincorporate the City of Placerville, and extend the limits thereof, approved April sixth, eighteen hundred and sixty-three.

Read first and second times and referred to the El Dorado delegation.

SPECIAL ORDER.

Senate Bill No. 233—An Act to provide for a system of common schools.

On motion of Mr. O'Connor, the consideration of the special order was postponed until Tuesday, March twelfth, at two o'clock P. M.

LEAVE OF ABSENCE.

Mr. Banvard was granted leave of absence until Thursday.

At one o'clock and five minutes P. M. the Senate took a recess until two o'clock P. M.

REASSEMBLED.

Senate reassembled at two o'clock P. M.

President pro tem in the chair.

Roll called.

Quorum present.

GENERAL FILE RESUMED.

Senate resumed consideration of General File, as follows:

Senate Bill No. 75—An Act authorizing the appointment of a Reporter for the County and Probate Courts of San Joaquin County.

Read a third time and passed.

Senate Bill No. 61—An Act to repeal an Act entitled an Act to empower the Boards of Supervisors of the several counties of this State to aid in the construction of a railroad in their respective counties.

Upon the adoption of the amendment reported by the Committee on Corporations to the Assembly amendment, the ayes and noes were demanded by Messrs. McKusick, Larkin, and Wand, and the Senate so ordered by the following vote:

AYES—Messrs. Andross, Banvard, Beck, Betge, Boggs, Comte, Duffy, Evans, Finney, Fowler, Garratt, Gwin, Hutchings, Kent, Keys, Maclay, McCoy, Minis, Oulton, Pendegast, Tompkins, Turner, Van Ness, Wilson, and Wing—25.

NOES—Messrs. Boucher, Crane, De Haven, Dyer, Farley, Goodale, Irwin, Larkin, McKusick, McMurry, Neff, O'Connor, Perkins, Tuttle, and Wand—15.

Mr. Oulton offered the following amendment to section one of the Assembly substitute:

Provided, That the question of granting aid to railroads under the Acts mentioned in this section shall be submitted to the qualified electors of each county at a general election, and all laws governing the election of officers at such general election shall be applicable thereto.

Upon the adoption of the amendment, the ayes and noes were demanded by Messrs. McKusick, Boucher, and Larkin, and the Senate so ordered by the following vote:

AYES—Messrs. Andross, Banvard, Beck, Betge, Boggs, Comte, Duffy, Dyer, Evans, Finney, Garratt, Gwin, Hutchings, Kent, Keys, Maclay, McCoy, Oulton, Pendegast, Tompkins, Turner, Van Ness, Wilson, and Wing—24.

NOES—Messrs. Boucher, Crane, De Haven, Farley, Fowler, Goodale, Irwin, Larkin, McKusick, McMurry, Minis, Neff, O'Connor, Perkins, Tuttle, and Wand—16.

REPORT.

Mr. Pendegast made the following report:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 351—An Act supplemental to an Act entitled an Act to authorize the Board of Supervisors of Mendocino County to issue bonds and apply the same to the construction of wagon roads in said county, approved February twentieth, eighteen hundred and seventy-two.

PENDEGAST, for the Committee.

Upon concurring in the amendments made by the Assembly to Senate Bill No. 61, the ayes and noes were demanded by Messrs. Wand, Betge, and Larkin, and the Senate so ordered by the following vote:

AYES—Messrs. Andross, Banvard, Beck, Betge, Boggs, Comte, Duffy, Finney, Garratt, Gwin, Hutchings, Kent, Keys, Maclay, McCoy, Oulton, Pendegast, Tompkins, Turner, Van Ness, Wilson, and Wing—22.

NOES—Messrs. Boucher, Crane, De Haven, Dyer, Evans, Farley, Fowler, Goodale, Irwin, Larkin, McKusick, McMurry, Minis, Neff, O'Connor, Perkins, Tuttle, and Wand—18.

INTRODUCTION OF BILLS.

Mr. Minis had leave to introduce the following bill—An Act to incorporate the City of Vallejo.

Read first and second times and referred to the Judiciary Committee.

By Mr. Beck—An Act to permanently locate the county seat of the County of Monterey, by the qualified electors of that county.

Read first and second times and referred to the Committee on County and County Boundaries.

RESOLUTION.

By Mr. Neff:

Resolved, That when the Senate adjourn this day it adjourn to meet again at half-past seven o'clock P. M. this evening.

Lost.

At five o'clock and thirty-four minutes P. M., on motion of Mr. Finney, the Senate adjourned.

J. T. FARLEY,
President pro tem.

ROBERT FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Wednesday, March 6th, 1872.

Senate met pursuant to adjournment.
President pro tem in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

REPORTS.

Reports were made as follows:

By Mr. Maclay:

Mr. PRESIDENT: Your committee to whom was referred Senate Bill No. 312—An Act supplementary to and amendatory of an Act entitled an Act to incorporate the Town of Santa Cruz—have had the same under consideration, report the same back, and amend the same by striking out the second section; respectfully ask the adoption of the amendment, and the passage of the bill as amended.

MACLAY, Chairman.

By Mr. Perkins:

Mr. PRESIDENT: The Committee on Claims have had under consideration Senate Bill No. 51—An Act to compensate J. G. Jenkins for legal services rendered the State during the years eighteen hundred and sixty-eight and eighteen hundred and seventy, under the Act of Congress to quiet land titles in the State of California, approved July twenty-third, eighteen hundred and sixty-six.

Also, Senate Bill No. 122—An Act for the relief of Samuel Cross.

It is in testimony before the committee that the claimants in these

bills undoubtedly performed certain services in relation to the swamp and overflowed lands of this State; that these services were performed by them at the request of the Surveyor General and Attorney General of this State. While your committee admit that the claimants seem to have some moral or equitable claim to payment for the services rendered, yet we do not believe that the State should pay the same, but that the claims, if allowed at all, should be paid out of the Fund belonging to the swamp land district in and for which the services were performed. The committee therefore report the same back, and recommend that they do not pass.

Also, Senate Bill No. 46—An Act to appropriate money to pay the claim of E. L. Brown—and report the same back, at the request of the author thereof, and recommend that he be allowed to withdraw the same.

Also, Assembly Bill No. 165—An Act for the relief of John Jackson, Sheriff and ex officio Tax Collector of Trinity County—and report the same back. The committee are divided in opinion in reference to this bill, but a majority thereof recommend its passage.

PERKINS, Chairman.

By Mr. Tuttle:

Mr. President: The Sonoma delegation have had Senate Bill No. 250—An Act to reincorporate the Town of Santa Rosa—under consideration, report the same back and recommend its passage.

TUTTLE, for Delegation.

By Mr. Wand:

Mr. President: The San Francisco delegation have had the following bills under consideration, and report them back as follows:

Assembly Bill No. 298—An Act to confirm the title to a certain lot of land in the City and County of San Francisco to the Trustees of the Associated Veterans of the Mexican war, and to authorize an exchange of said lands for certain property belonging to said city and county, or for a lease thereof—amended, and passage recommended as amended.

Also, Senate Bill No. 302—An Act to regulate the practice of pharmacy in the City and County of San Francisco—amended, and passage recommended as amended.

WAND, for Delegation.

By Mr. Oulton:

Mr. President: The San Francisco delegation have had under consideration substitute for Assembly Bill No. 13—An Act supplementary to an Act to repeal the several charters of the City of San Francisco, and establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved April nineteenth, eighteen hundred and fifty-six, and the Acts amendatory of and supplemental thereto—with amendments, and a majority of the delegation recommend its passage as amended.

OULTON,
FINNEY,
GARRATT.

Mr. Minis verbally reported Assembly Bill No. 305 and Senate Bill No. 338, and recommended their passage.

Mr. Larkin verbally reported Assembly Bill No. 380, with amendments, and recommended its passage as amended.

Mr. McKusick verbally reported Senate Bill No. 353, and recommended its passage.

Mr. Maclay verbally reported Assembly Bill No. 394, and recommended its passage.

Mr. Boggs verbally reported Assembly Bill No. 331, and recommended its passage.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 6th, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 277—An Act to amend an Act to protect agriculture, and to prevent the trespassing of animals upon private property in the County of Los Angeles and in the County of San Diego, and part of Monterey County, approved February fourteenth, eighteen hundred and seventy-two.

Also, Senate Bill No. 153—An Act appropriating money to pay the contingent expenses of the Revision Commission.

Also, Senate Bill No. 218—An Act making appropriations for deficiencies in the appropriations for the twenty-third fiscal year.

NEWTON BOOTH, Governor.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
March 5th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the first instant, passed Assembly Bill No. 250—An Act to declare Lake Earl and its tributaries in Del Norte County navigable, and to exempt said waters from entry.

Also, on the same day, passed Assembly Bill No. 354—An Act to submit the question of the removal of the county seat of Kern County to the qualified voters thereof.

Also, on the same day, passed Assembly Bill No. 350—An Act supplementary to the Act of April twenty fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento.

Also, on the same day, passed Assembly Bill No. 392—An Act supplemental to an Act entitled an Act to raise a fund for the improvement of Napa City, approved January twenty-fourth, eighteen hundred and seventy.

Also, on the same day, passed Assembly Bill No. 405—An Act to raise revenue in Plumas County for hospital and other purposes.

Also, on the same day, passed Assembly Bill No. 120—An Act to regulate practice in the Supreme Court.

Also, on the same day, passed Assembly Bill No. 322—An Act extending the time for payment of taxes in the County of Contra Costa.

Also, on the same day, passed Assembly Bill No. 403—An Act for the relief of William S. Brown.

Also, on the second instant, passed Assembly Bill No. 411—An Act to better define the boundaries between the Counties of Humboldt, Mendocino, Trinity, and Klamath.

Also, on the same day, passed Assembly Bill No. 423—An Act to amend an Act entitled an Act to regulate fees and salaries in the County of Calaveras, and to define the duties of certain officers in said Calaveras County, approved March fourth, eighteen hundred and seventy.

Also, on the twenty ninth ultimo, passed Assembly Bill No. 379—An Act to authorize the Treasurer of San Joaquin County to transfer certain funds to the General School Fund of said county.

Also, on this fifth day of March, adopted the report of the joint committee of conference on the disagreeing vote of the two Houses on Assembly Bill No. 277—An Act to prevent hunting and shooting on private grounds—and adopted the substitute for the above named bill proposed by the committee, and respectfully ask the concurrence of your honorable body in the adoption of the substitute.

Also, on the same day, passed Assembly Bill No. 343—An Act to define the Senatorial and Assembly Districts of the State, and to apportion the representation thereof.

Also, on same day, passed Assembly Joint Resolution No. 21—Relative to Governmental control of the telegraph.

Also, on same day, passed Preamble and Assembly Joint Resolution No. 26—Relative to the culture of grape vines, etc.

Also, on same day, passed, under a suspension of the rules, Assembly Bill No. 99—An Act to amend an Act concerning trade marks and names—and the same was ordered transmitted to the Senate without engrossment.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 5th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this fifth day of March, passed Senate Bill No. 324—An Act to enable the City of Stockton to redeem its bonds falling due in the year eighteen hundred and seventy-three.

Also, on same day, adopted and passed under a suspension of the rules substitute for Assembly Bill No. 269—An Act to amend an Act entitled an Act to authorize the incorporation of canal companies and to provide for the construction of canals and ditches, approved April second, eighteen hundred and seventy—and the same was ordered to the Senate without engrossment.

Also, on same day, passed Senate Bill No. 99—An Act concerning corporations.

I am also directed to return to your honorable body Assembly Bill No. 282—An Act to allow certain persons therein named and their associates and assigns to take possession of and improve a certain road in the County of Sacramento, the same having been properly engrossed as per your request.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 282, above reported, read first and second times and referred to the Committee on Roads and Highways.

Substitute for Assembly Bill No. 269, above reported, read first and second times and referred to the Committee on Agriculture.

Substitute for Assembly Bill No. 250, above reported, read first and second times and referred to the Committee on Commerce and Navigation.

Assembly Bill No. 354, above reported, read first and second times and referred to the Committee on County and County Boundaries.

Assembly Bill No. 350, above reported, read first and second times and referred to the Sacramento delegation.

Assembly Bill No. 392, above reported, read first and second times and referred to the Napa delegation.

Assembly Bill No. 405, above reported, read first and second times and referred to the Plumas delegation.

Substitute for Assembly Bill No. 120, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 322, above reported, read first and second times and referred to the Contra Costa delegation.

Assembly Bill No. 403, above reported, read first and second times and referred to the Sonoma delegation.

Assembly Bill No. 411, above reported, read first and second times and referred to the Committee on County and County Boundaries.

Assembly Bill No. 423, above reported, read first and second times and referred to the Calaveras delegation.

Assembly Bill No. 379, above reported, read first and second times and referred to the San Joaquin delegation.

Substitute for Assembly Bill No. 277, above reported—report of committee of conference adopted.

Assembly Bill No. 345, above reported, read first and second times and referred to the Committee on County and County Boundaries.

Assembly Joint Resolution No. 21, above reported, read first and second times and referred to the Committee on Federal Relations.

Assembly Bill No. 26, above reported, read first and second times and referred to the Committee on Agriculture.

Assembly Bill No. 99, above reported, read first and second times and referred to the Judiciary Committee.

REPORTS.

Reports were made as follows:

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 268—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one.

Also, Senate Bill No. 185—An Act to amend an Act to provide for the management and sale of lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, Senate Bill No. 309—An Act to provide for the payment of

deficiency in the State Prison appropriation for the twenty-third fiscal year ending June thirtieth, eighteen hundred and seventy-two.

Also, Senate Bill No. 165—An Act to provide for the condemnation of lands for road purposes in the County of Santa Cruz.

Also, Senate Bill No. 275—An Act to add an additional section to the Penal Code.

Also, Senate Bill No. 321—An Act to amend an Act entitled an Act to authorize the issuance of bonds by the County of San Luis Obispo, to erect county buildings and provide a site for the same, approved April fourth, eighteen hundred and seventy.

Also, Senate Bill No. 271—An Act concerning roads in the County of Butte.

Also, Senate Bill No. 291—An Act entitled an Act for the relief of Joseph S. Emery.

TUTTLE, for Committee.

Mr. Maclay verbally reported Senate Bill No. 257, with corrections of clerical errors, as per special instructions.

On motion of Mr. Maclay, the rules were suspended, and the amendments reported from the Assembly were adopted.

Mr. Neff had leave to withdraw Senate Bill No. 46.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Wing—An Act for the relief of Charles Tupper.

Read first and second times, and with accompanying documents referred to the Committee on Claims.

By Mr. Van Ness—An Act to amend an Act entitled an Act concerning roads in the Counties of Santa Barbara and San Luis Obispo, approved February twenty first, eighteen hundred and seventy two.

Read first and second times and referred to the Judiciary Committee.

By Mr. Beck—An Act concerning public roads and highways in the County of Monterey.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Garratt—An Act to authorize the Board of Supervisors of the City and County of San Francisco to supply said city with pure fresh water for its use and for the use of its inhabitants.

Read first and second times and referred to the San Francisco delegation, and ordered printed.

By Mr. Tompkins—An Act to amend an Act entitled an Act to incorporate the Town of Brooklyn and to define and establish the boundary line between said town and the City of Oakland, approved April fourth, eighteen hundred and seventy.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Tuttle—An Act to provide a system of common schools.

Read first and second times, referred to the Committee on Education, and ordered printed.

By Mr. Keys—An Act to establish and protect public trails and footways in this State.

Read first and second times, and referred to the Committee on Roads and Highways.

By Mr. Pendegast—An Act to establish a Code of Civil Procedure.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

On motion of Mr. McKusick, the rules were suspended for the consideration of Senate Bill No. 353, this day reported from the El Dorado delegation.

On motion of Mr. Larkin, Senate Bill No. 353 was recommitted to the El Dorado delegation, with special instructions.

REPORTS.

Mr. Beck submitted a report from the Committee on Public Buildings relative to the construction of the State Normal School.

Reading of report dispensed with and ordered printed.

By Mr. Beck:

Mr. PRESIDENT: Your Committee on Public Buildings and Grounds, to whom was referred Senate Bill No. 293—An Act to provide a Supreme Court Room and apartments for the officers of the Supreme Court—report the bill back and recommend its passage.

BECK, for Committee.

GENERAL FILE.

Senate Bill No. 33—An Act to enforce the education of children.

Made the special order for Wednesday, March thirteenth, at two o'clock P. M.

Senate Bill No. 255—An Act to appropriate money for the relief of John C. McCredy.

Recommitted to the Committee on Claims, with special instructions.

Assembly Bill No. 33—An Act to amend an Act to provide for the protection of certain lands in the County of Sutter from overflow.

Amendments reported by Committee on Swamp and Overflowed Lands adopted, bill read a third time and passed.

Assembly Bill No. 218—An Act to create the County of Ventura, etc.

Ordered at top of file for Friday next.

Assembly Bill No. 357—An Act amendatory of an Act entitled an Act for the more effectual prevention of cruelty to animals, approved March thirtieth, eighteen hundred and sixty-eight.

Referred to the San Francisco delegation.

Assembly Bill No. 287—An Act to prevent persons passing through inclosures and leaving them open, and tearing down fences to make passage through inclosures.

Referred to the Judiciary Committee.

Assembly Bill No. 227—An Act for the relief of the California volunteers, officers, and sailors of the United States navy who have honorably served within the State of California.

Passed on file.

Assembly Bill No. 11—An Act to amend an Act entitled an Act to consolidate certain school districts in the Counties of El Dorado and Sacramento.

Senate refuse to concur in the Assembly amendments.

Assembly Bill No. 320—An Act to authorize the corporate authorities of Santa Clara to take and hold in trust and convey certain lands.

Read a third time and passed.

Assembly Bill No. 233—An Act to provide for the payment of claims of Hutchings, Black, and Lamon, settlers in Yosemite Valley.

Re-referred to the Finance Committee.

Assembly Bill No. 372—An Act to define the northern boundary line of Napa County, adjoining Lake and Yolo Counties.

Read a third time and passed.

Assembly Bill No. 145—An Act defining and limiting the time for the payment of bounties and relief pay due the volunteers of the State of California, and troops furnished the United States.

Report of Committee on Military Affairs, recommending that the bill do not pass, was adopted.

Assembly Bill No. 452—An Act to increase the number of Notaries Public in the County of Plumas.

Read a third time and passed.

Assembly Joint Resolution No. 8—Relative to asking Congress to prepare an amendment to the Constitution of the United States changing the time and place of electing United States Senators.

Ordered at top of file for to-morrow.

Senate Bill No. 104—An Act to provide for the payment of certain witnesses in the case of The People vs. Horace Smith.

Passed on file until Friday next.

REPORT.

By Mr. Hutchings:

Mr. PRESIDENT: Your Committee on Enrollment would respectfully report that they have examined Senate Bill No. 263, and finding an error in the engrossment of the bill, ask that it be returned to the Committee on Engrossment to have the error corrected.

HUTCHINGS.

Mr. PRESIDENT: Your Committee on Enrollment respectfully report that they have examined and find correctly enrolled Senate Bill No. 212—An Act to incorporate the Town of Alameda.

Also, Senate Bill No. 263.

Also, Senate Bill No. 231—An Act to more fully define the crime of larceny.

Also, Senate Joint Resolution No. 3—Relative to requesting Congress to raise the weight of silver coin.

Also, Senate Concurrent Resolution No. 23—Relative to requesting Congress to appropriate public lands of the United States for educational purposes.

Also, Senate Concurrent Resolution No. 36—Relative to payment of expenses for equipping, arming, etc., of California Volunteers in the years eighteen hundred and sixty-one, eighteen hundred and sixty-two, eighteen hundred and sixty-three, and eighteen hundred and sixty-four.

Also, Senate Joint Resolution No. 1—Relative to restoring certain lands granted to the Sacramento and Placerville Railroad to homestead and preemption.

And have presented the same to the Governor for his approval this day, at twelve o'clock and twenty minutes P. M.

HUTCHINGS, Chairman.

Mr. PRESIDENT: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. [illegible]—An Act concerning corporations—and have presented the same to the Governor for his signature, at twelve o'clock and twenty minutes P. M.

HUTCHINGS, Chairman.

GENERAL FILE RESUMED.

Senate Bill No. 269—An Act to provide for the location, construction, and maintenance of public roads in the County of Colusa.

Referred to the Colusa delegation.

Senate Bill No. 172—An Act to create a Board of Public Works in the City and County of San Francisco.

Made special order for Wednesday next, at twelve o'clock M.

Senate Bill No. 217—An Act to amend an Act entitled an Act to provide for the funding of the indebtedness of the County of San Luis Obispo.

Substitute reported by Committee on State and County Revenue adopted, rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 219—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers in the County of San Luis Obispo.

Substitute reported by the Committee on State and County Revenue adopted, rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 273—An Act to more particularly define the boundary line between San Francisco and Alameda Counties.

Ordered on file for Wednesday, March thirteenth.

Senate Bill No. 230—An Act to provide for a special road tax in Napa County.

Amendments reported by Judiciary adopted and bill passed as file.

Senate Bill No. 270—An Act to amend an Act entitled an Act to fix the compensation of officers and to provide for the funding of the floating debt of the County of Santa Barbara.

Rules suspended, bill considered engrossed, read a third time and passed.

At one o'clock P. M. the Senate took a recess until two o'clock.

REASSEMBLED.

Senate reassembled at two o'clock P. M.

President pro tem in the chair.

Roll called.

Quorum present.

REPORT.

By Mr. Hutchings:

Mr. PRESIDENT: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. [illegible]—An Act to provide funds for the construction and improvement of highways in the County of San Mateo—and have presented the same to the Governor for his signature at one o'clock and ten minutes P. M.

HUTCHINGS, Chairman.

GENERAL FILE RESUMED.

Senate resumed consideration of General File as follows:

Senate Bill No. 180—An Act supplementary to an Act entitled an Act to provide for compensating parties whose property may be destroyed in consequence of mobs or riots.

Amendments reported by the Judiciary Committee adopted, rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 237—An Act to inaugurate the production of iron and steel in California.

Made the special order for Tuesday next at eleven o'clock A. M.

On motion of Mr. Banvard, the vote by which Senate Bill No. 104 was passed on file until Friday next, was reconsidered.

Senate Bill No. 104—An Act to provide for the payment of certain witnesses in the case of The People vs. Horace Smith.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 313—An Act relative to unpaid warrants and assessments in Reclamation District Number One Hundred and Eight

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 336—An Act to provide for payment of expenses incurred in construction of the new State Armory.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 343—An Act to authorize the issuance of bonds to the amount of two hundred and fifty thousand dollars, to be known as State Capitol Bonds.

Ordered on file for Monday next.

Senate Bill No. 342—An Act appropriating fifty-six thousand dollars in United States legal tender notes for the payment of the necessary incidental expenses of the State Capitol, etc.

Ordered on file for Monday next.

Senate Bill No. 175—An Act to promote and encourage immigration to the State of California.

Mr. Wand presented a substitute for the bill, which, with the original bill, was referred to a committee of the whole Senate.

The Senate refused to adopt the substitute.

On motion of Mr. Minis, the bill was indefinitely postponed.

[Mr. Pendegast in the chair.]

Senate Bill No. 346—An Act concerning the salary of the District Attorney of Lake County.

Passed on file.

Senate Bill No. 345—An Act to fix the salary of the members of the Board of Supervisors of Trinity County.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 209—An Act concerning the military of the State of California.

Made the special order for Friday week, at two o'clock P. M.

Senate Bill No. 320—An Act to protect agriculture and to prevent the trespassing of animals in the County of Colusa.

Rules suspended, bill considered engrossed, read a third time, and passed.

Senate Bill No. 270—An Act to amend an Act to prevent the destruction of fish in the waters of Napa Creek and Sonoma Creek.

Passed on file.

Senate Bill No. 337—An Act to amend an Act entitled an Act to establish a State Normal School.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 349—An Act concerning a certain road in the County of Sierra.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 253—An Act authorizing John Spriggs, an alien, to inherit the estate of his brother, Thomas Spriggs, deceased.

Report of the Judiciary Committee, recommending that the bill do not pass, adopted.

Senate Bill No. 303—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State.

Withdrawn.

Senate Bill No. 70—An Act to provide additional ground for the State Capitol building in the City of Sacramento.

Ordered at foot of file for Wednesday, March thirteenth.

Senate Bill No. 339—An Act authorizing the transcribing of certain records in the County of San Luis Obispo.

Amendment reported by the Judiciary Committee adopted, rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 340—An Act to authorize the Board of Supervisors of the City and County of San Luis Obispo to audit and allow the claim of M. B. Harrison.

Amendment reported by the Judiciary Committee adopted, rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 274—An Act to amend section three hundred and sixty-four of an Act entitled an Act to regulate proceedings in criminal cases, approved May first, eighteen hundred and fifty-one.

Report of Judiciary Committee, recommending that the bill do not pass, was adopted.

Mr. Comte moved to reconsider the vote by which the Senate adopted the report of the Judiciary Committee on Senate Bill No. 253.

Lost.

Senate Bill No. 327—An Act to repeal an Act entitled an Act to amend an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, approved April twenty-seventh, eighteen hundred and sixty-three.

Withdrawn.

[President pro tem in the chair.]

Senate Bill No. 311—An Act in regard to the practice in the Police Judge's Court of the City and County of San Francisco.

Report of Judiciary Committee, recommending that the bill do not pass, was adopted.

REPORTS.

Reports were made as follows:

By Mr. Finney:

Mr. PRESIDENT: The special committee appointed by the Senate to investigate the causes of the disappearance of Assembly Bill No. 238, passed at the seventeenth session of the Legislature of the State of California granting certain lands in Yosemite Valley to J. M. Hutchings and J. C. Lamon, respectfully report as follows:

The committee found both the enrolled copy and the original bill above referred to in the Secretary of State's office, and do herewith present a copy of the original bill to be a part of the report of said committee, and respectfully request that said copy be considered as a part of said report.

The said bill, as is shown by the Journals of said seventeenth session of the Legislature, was an Assembly substitute for a Senate Bill numbered 100; that said bill was passed in due form by the said Legislature, was vetoed by the Governor, the veto being sent to the Assembly; that it was passed by said Assembly over said veto, was duly sent to the Senate, and there passed over said veto. The bill then disappeared until after the publication of the laws passed during the aforesaid seventeenth session; that then, on application of Surveyor General Bost at the Secretary of State's office, the bill was sought for and found by the Secretary of State on the top of a desk in the Sergeant at Arms room of the Assembly of said seventeenth session; and the then Sergeant at Arms, the Hon. J. K. Luttrell, testifies that at the time he turned over his rooms, papers, and stationery to the Deputy Secretary of State he is quite sure the aforesaid bill was not in his office; that he turned over said room, etc., on the morning next succeeding the adjournment of the said seventeenth session of the Legislature.

Mr. John White was Secretary of the Senate, Mr. W. F. Huestis was Assistant Secretary, and Mr. George W. Dixon was Assistant Clerk of the Senate during the aforesaid seventeenth session. And Mr. Dixon testifies that the last time he saw the aforesaid bill it was at the Senate desk in charge of Mr W. F. Huestis; that when he asked Mr. Huestis what should be done with the bill, said Huestis replied that he would take care of it. And Mr. W. F. Huestis testifies that the last time he saw said bill it was in the hands of Mr. John White; that Mr. John White told him (Huestis) that he (White) would take the bill to the Secretary of State's office.

It appears from the statutes that all bills which have been passed over the veto of the Governor should receive the certificate of such passage signed by the President of the Senate and the Speaker of the House, and then go to the Governor to be by him sent to the Secretary of State. The enrolled bill bears no such certificate on its face or attached thereto; and evidence before the committee shows that said bill never did go to the Governor, nor through him to the Secretary of State.

Your committee offer no opinion, but respectfully submit their report, and ask that it be accepted and the committee discharged.

FINNEY, Chairman.
IRWIN,
COMTE, JR.

Mr. Maclay verbally reported Assembly Bills Nos. 363 and 315, and recommended their passage.

Also, verbally reported Assembly Bill No. 395, with amendments, and recommended its passage as amended

On motion of Mr. Maclay, the rules were suspended for the consideration of Assembly Bill No. 395, above reported.

The amendments reported by the delegation were adopted, bill read a third time, and passed.

Mr. Tompkins verbally reported Assembly Bill No. 486, and recommended its passage.

The rules were suspended, and Assembly Bill No. 486, above reported, was read a third time and passed.

FURTHER INTRODUCTION OF BILLS.

Mr. Minis had leave to introduce the following bill:

An Act to restrict the hunting or shooting of game in the County of Yolo.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Pendegast:

An Act supplementary to and amendatory of an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Read first and second times and referred to the Judiciary Committee.

By Mr. Tompkins:

Proposed amendments to the Constitution of the State of California.

Read first and second times and ordered on file.

At four o'clock and ten minutes P. M., on motion of Mr. Maclay, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Thursday, March 7th, 1872.

Senate met pursuant to adjournment.
President pro tem in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

REPORTS.

Reports were made as follows:

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 296—An Act to amend an Act entitled an Act concerning roads and highways in the County of San Mateo, approved March twenty-fifth, eighteen hundred and sixty-eight.

Also, Senate Bill No. 264—An Act concerning the San Diego and Gila Southern Pacific and Atlantic Railroad Company, and to extend the time of performing certain acts.

Also, Senate Bill No. 66—An Act for the relief of sufferers from the diversion of the American River into the Sacramento River by the Levee Commissioners of the City of Sacramento.

Also, Senate Bill No. 103—An Act to provide for the assessment of encumbered real estate.

Also, Senate Bill No. 180—An Act supplemental to an Act entitled an Act to provide for compensating parties whose property may be destroyed in consequence of mobs and riots, approved March twenty-eighth, eighteen hundred and sixty-eight.

NEFF, for Committee.

By Mr. Perkins:

Mr. PRESIDENT: The Committee on Claims have had under consideration Assembly Bill No. 216—An Act for the relief of Anna Virginia Wakeman—and find the question involved in the provisions of said bill purely a legal one; they therefore report it back, and respectfully recommend its reference to the Judiciary Committee.

Also, Senate Bill No. 294—An Act for the relief of W. B. Norman and A. C. Bradford—and report the same back and recommend it do not pass.

Also, Senate Bill No. 149—An Act for the relief of John B. Harmon—and report the same back, with the recommendation that it be indefinitely postponed.

Also, Senate Bill No. 297—An Act to authorize the payment of Mrs. Eliza McLean for supplies furnished the State Marine Hospital in the years eighteen hundred and fifty-three and eighteen hundred and fifty-four. The committee have very carefully considered this bill, but have been unable to find there is any sum due the claimant from the State, either in law or equity. We therefore recommend that the bill be indefinitely postponed.

PERKINS, Chairman.

Assembly Bill No. 216, above reported, was referred to the Judiciary Committee.

Br Mr. McMurry:

Mr. PRESIDENT: The Committee on Contingent Expenses, to whom was referred Concurrent Resolution—Relative to pay of Clerk and Sergeant

at Arms of State Prison Committee—herewith report the same back and recommend its passage.

McMURRY, Chairman.

Mr. Minis verbally reported Assembly Bill No. 67, and recommended that it be indefinitely postponed.

On motion of Mr. Minis, the rules were suspended for the consideration of Assembly Bill No. 67, above reported.

The bill was indefinitely postponed.

Mr. Minis verbally reported Senate Bill No. 179, and recommended that it do not pass.

By Mr. Tompkins:

Mr. PRESIDENT: The Committee on Judiciary have had under consideration Assembly Bill No. 353—An Act to remedy defects in certain county records.

Also, Assembly Bill No. 485—An Act creating the Nineteenth and Twentieth Judicial Districts, and defining the Third, Fourth, and Fifteenth Judicial Districts.

Also, Senate Bill No. 189—An Act to provide for a State Reformatory at San Quentin.

And report the same back with amendments, and recommend the adoption of the amendments and the passage of the several bills as amended.

Also, have had under consideration Assembly substitute for Assembly Bill No. 234—An Act to regulate the interest of money.

And report the same back with a substitute therefor, and recommend the adoption and the passage of the substitute.

Also, Assembly Bill No. 133—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty one.

This bill undertakes to amend section three hundred and ninety-two of the Practice Act by adding thereto and reenacting section three hundred and ninety-three, which was repealed at the last session of the Legislature. Section three hundred and ninety three provided that "no person should be allowed to testify, where the adverse party or the party for whose immediate benefit the action or proceeding is prosecuted or defended is the representative of a deceased person, when the facts to be proved transpired before the death of such deceased person."

This subject has once before this been presented to the Senate and been reported against by this committee, and the reasons then urged against the measure apply with the same force to the present bill.

The committee, therefore, report the same back and recommend that it do not pass.

Also, have considered Senate Bill No. 190—Being proposed amendments to the Constitution of this State—and report the same back.

The committee concur in commending the object sought to be effected by this bill, but are divided in opinion as to the necessity or propriety of securing that object by an amendment to the Constitution, and therefore make no recommendation concerning the same.

Also, Assembly Bill No. 8—An Act to repeal an Act entitled an Act to prevent double taxation. Also, to repeal an Act entitled an Act to relieve owners of encumbered real estate from taxation.

And report the same back and recommend that it do not pass, as a

similar bill, having the same object in view, has already been indefinitely postponed.

Also, Assembly Bill No. 188—An Act to provide for listing and assessing all solvent debts, and to repeal an Act entitled an Act to prevent double taxation, approved April first, eighteen hundred and seventy, and the Act entitled an Act to relieve owners of encumbered real estate from double taxation, approved April fourth, eighteen hundred and seventy.

And report the same back and recommend that it do not pass, as the object of the bill has already been provided for by previous legislation.

Also, have had under consideration Assembly Bill No. 287—An Act to prevent persons passing through inclosures and leaving them open, and tearing down fences to make passages through inclosures.

And report the same back with amendment, and recommend the adop- of the amendment and the passage of the bill as amended.

TOMPKINS, Chairman.

By Mr. Hutchings:

Mr. President: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 258—An Act to change the name of the Front street, Mission, and Ocean Railroad Company.

Also, Senate Bill No. 332—An Act supplementary to and amendatory of an Act entitled an Act to provide for the building of a Court House and Jail in Marin County and to repeal certain Acts, approved January eighteenth, eighteen hundred and seventy-two.

Also, Senate Bill No. 252—An Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty one.

Also, Senate Bill No. 67—An Act to amend an Act entitled an Act to provide five competitive scholarships for the benefit of meritorious young men desirous of entering the State University, approved April first, eighteen hundred and seventy.

Also, Senate Concurrent Resolution No. 42—Requesting Congress to establish a Signal Service Station at Sacramento, California.

Also, Senate Concurrent Resolution No. 39—To construct a seawall to form a breakwater on North Pacific Ocean, on the coast of California, for the refuge of vessels.

And have presented the same to the Governor for his signature, at ten o'clock and twenty-five minutes A. M.

HUTCHINGS, Chairman.

By Mr. Van Ness:

Mr. President: Your Committee on Public Morals have had under consideration Senate Bill No. 245—An Act in relation to gaming—and report the same back without recommendation.

Also, Senate Bill No. 266—An Act for the observance of the Sabbath—and report the same back with the recommendation that it do not pass.

VAN NESS, Chairman.

By Mr. Maclay:

Mr. President: Your committee to whom was referred Senate Bill No. 254—An Act to amend an Act entitled an Act to provide for the formation of corporations for certain purposes—have had the same

under consideration, report the same back, and recommend the passage of the bill.

MACLAY, Chairman.

PETITION.

Mr. Keys presented a petition from citizens of Stanislaus County for the passage of a bill to establish a public highway and ferry across the San Joaquin River in the County of Stanislaus.

Read and referred to the Committee on Roads and Highways.

REPORTS RESUMED.

Mr. Goodale verbally reported Assembly Bill No. 322, and recommended that the same be referred to the Committee on State and County Revenue.

On motion of Mr. Goodale, Assembly Bill No. 322, above reported, was referred to the Committee on State and County Revenue.

By Mr. Tuttle:

Mr. PRESIDENT: The Sonoma delegation have considered Assembly Bill No. 303, amended, and recommend its passage as amended.

TUTTLE, for Delegation.

On motion of Mr. Tuttle, the rules were suspended for the consideration of Assembly Bill No. 303, above reported.

Amendments reported by the delegation adopted, bill read a third time and passed.

Mr. Mims verbally reported Assembly Bill No. 446, and recommended its passage.

By Mr. McCoy:

Mr. PRESIDENT: The San Bernardino delegation, to whom was referred Assembly Bill No. 248, respectfully report the same back and recommend that it do pass.

McCOY, for Delegation.

Mr. Perkins verbally reported Senate Bill No. 255, and recommended that the Senate adopt the amendment as reported, as per special instruction.

The rules were suspended and the report of the committee was adopted, bill read a third time and passed.

By Mr. Boucher:

Mr. PRESIDENT: The Plumas delegation, to whom was referred Assembly Bill No. 405—An Act to raise revenue in Plumas County for hospital and other purposes—have had the same under consideration, and respectfully report the bill back with the recommendation that it pass.

BOUCHER, for Delegation.

Mr. Evans verbally reported Assembly Bill No. 379, and recommended its passage.

Mr. Gwin verbally reported Assembly Bill No. 370, and recommended its reference to the Committee on State and County Revenue.

On motion of Mr. Gwin, the bill was so referred.

Mr. Comte verbally reported Senate Bill No. 350, and recommended its passage.

On motion of Mr. Comte, the rules were suspended for the consideration of Senate Bill No. 350, above reported.

The rules were further suspended, bill considered engrossed, read a third time and passed.

SPECIAL ORDER.

Governor's message relative to appointment of Port Wardens.

On motion of Mr. Wand, the consideration of special order was postponed until Thursday, March twenty first, at eleven o'clock, A. M.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 7th, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 308—An Act to extend the time allowed to the Southern Pacific Railroad Company and the Western Pacific Railroad Company in which to make the terminus of their roads upon certain lands donated to them by the State for that purpose in the City and County of San Francisco.

Also, Senate Bill No. 231—An Act to more fully define the crime of larceny.

Also, Senate Bill No. 155—An Act to provide for the establishment, maintenance, and protection of a public ford across the Stanislaus River, and a public road to and from the same, in the County of Stanislaus.

Also, Senate Bill No. 284—An Act to amend an Act to provide for redeeming and paying the warrants outstanding against Tuolumne County, and for paying the current expenses of said county in cash, and defining and limiting the powers and duties of certain officers in relation thereto.

NEWTON BOOTH, Governor.

MESSAGES FROM THE ASSEMBLY.

The following Assembly messages were read:

ASSEMBLY CHAMBER,
March 7th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the fifth day of March, amended and passed Senate Bill No. 170—An Act to encourage agriculture and other industries.

Also, on the sixth day of March, passed Senate Bill No. 305—An Act

to authorize the Board of Supervisors of Tuolumne County to levy a special tax to pay certain bonds against said county.

Also, on the same day, passed Senate Bill No. 144—An Act respecting the limitation of actions.

Also, on the same day, passed Assembly Bill No. 316—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-seven.

Also, on the same day, passed Senate Bill No. 201—An Act to provide for the payment of certain coupons upon bonds of the State of California that have been lost.

Also, on the same day, passed Senate Bill No. 341—An Act to regulate the fees of the Sheriff of the County of Santa Cruz.

Also, on the same day, passed Senate Bill No. 315—An Act supplementary to an Act entitled an Act to define and establish the boundary line between the Counties of Inyo and Mono, approved March twenty-eighth, eighteen hundred and seventy.

Also, on the same day, passed Senate Bill No. 235—An Act to amend an Act entitled an Act relating to criminal prosecutions, approved April second, eighteen hundred and sixty-six.

Also, on the same day, passed Senate Bill No. 215—An Act to amend an Act entitled an Act concerning forcible entries and unlawful detainers, and to repeal all other Acts on the same subject, approved April twenty-seventh, eighteen hundred and sixty-three.

Also, on the same day, passed Senate Bill No. 80—An Act to fix the salary of the Superintendent of Common Schools in the County of Monterey.

Also, on the same day, adopted Assembly Concurrent Resolution No. 25—Relative to requesting the Governor to return Assembly Bill No. 338—and respectfully ask the concurrence of your honorable body.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 6th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the second instant, passed Assembly Bill No. 224—An Act for the relief of A. T. Gray, Treasurer and ex officio Tax Collector of El Dorado County.

Also, on the same day, passed Assembly Bill No. 334—An Act for the relief of Henry N. Morse, Sheriff of Alameda County.

Also, on the same day, passed Assembly Bill No. 336—An Act to repeal an Act entitled an Act to authorize the Controller of State to issue duplicate warrants, approved January twenty sixth, eighteen hundred and seventy-two.

Also, on the same day, passed Assembly Joint Resolution No. 27—Asking Congress to reserve public lands in California for actual settlers only, under the Homestead and Preemption Laws, and for a more rapid extension of the surveys of public lands in this State.

Also, on the same day, passed Assembly Bill No. 306—An Act to extend the time in which Swamp Land District Number Seventy shall complete their work of reclamation.

Also, on the same day, passed Assembly Bill No. 430—An Act for the preservation of fish in the waters of Siskiyou County.

Also, on the same day, passed Assembly Bill No. 402—An Act amend-

atory of an Act entitled an Act to provide for binding minors as apprentices, clerks, and servants, approved April tenth, A. D. eighteen hundred and fifty-eight.

Also, on the same day, passed Assembly Bill No. 314—An Act to regulate the fees of office of the Clerk of Santa Cruz.

Also, on the same day, passed Assembly Bill No. 515—An Act to incorporate the Town of Fort Jones, in Siskiyou County, California.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 316, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Joint Resolution No. 25, above reported, read first and second times and adopted.

Assembly Bill No. 515, above reported, read first and second times and referred to the Siskiyou delegation.

Assembly Bill No. 314, above reported, read first and second times and referred to the Santa Cruz delegation.

Assembly Bill No. 402, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 430, above reported, read first and second times and referred to the Siskiyou delegation.

Assembly Bill No. 360, above reported, read first and second times and referred to the Committee on Swamp and Overflowed Lands.

Assembly Bill No. 224, above reported, read first and second times and referred to the Finance Committee.

Assembly Bill No. 336, above reported, read first and second times and referred to the Finance Committee.

Assembly Bill No. 334, above reported, read first and second times and referred to the Committee on Claims.

Assembly Joint Resolution No. 27, above reported, read first and second times and referred to the Committee on Public Lands.

Senate Bill No. 180, above reported, the amendments reported from the Assembly concurred in by the Senate.

Senate Bill No. 170, above reported, Senate refused to concur in the amendments reported from the Assembly.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Evans—An Act to empower the City of Stockton to fund its school debt and for school purposes.

Read first and second times and referred to the Judiciary Committee.

By Mr. Beck—An Act to create the County of San Benito, to define its boundaries and provide for its organization.

Read first and second times and referred to the Committee on County and County Boundaries.

By Mr. Maclay—An Act to provide for printing and distributing Meredith's Great Register of the State of California.

Read first and second times and referred to the Judiciary Committee.

By Mr. O'Connor—An Act to provide for the incorporation of tramroad companies in certain counties of this State.

Read first and second times and referred to the Judiciary Committee.

By Mr. Evans—An Act to provide for the settlement of the value of school property in the several school districts that were adjacent to the City of Stockton, and which was, by Act of the Legislature approved January twenty-sixth, eighteen hundred and seventy, included within the limits of said city.

Read first and second times and referred to the Judiciary Committee.

By Mr. Garratt—An Act for the relief of certain parties holding property on Market street, in the City and County of San Francisco.

Read first and second times and referred to the San Francisco delegation.

By Mr. Pendegast—An Act to provide for the location of tow paths along the banks of navigable streams.

Read first and second times and referred to the Committee on Commerce and Navigation.

By Mr. Tompkins—An Act supplementary to an Act for the endowment of the University of California, approved April second, eighteen hundred and seventy.

Read first and second times and referred to the Committee on Education.

MOTIONS, RESOLUTIONS, AND NOTICES.

By Mr. Evans:

Resolved by the Senate, That the rules be and they are hereby suspended, and that Senate Bill No. 363—An Act to establish a Code of Civil Procedure, written in the book now at the desk of the Secretary, be transmitted to His Excellency the Governor for his approval, in its present form, and that the bill in its present shape shall be deemed to be the enrolled bill the same as though it had actually been enrolled.

Adopted.

By Mr. Banvard:

Resolved, That the sum of thirty dollars is hereby allowed to Joseph Walkup for ten copies of the Placer Herald newspaper furnished the members of the Senate during the nineteenth session of the Legislature, payable out of the appropriation for the contingent expenses of the Senate.

Read and referred to the Committee on Contingent Expenses.

By Mr. Comte:

Resolved, That the Committee on Elections be and they are hereby requested to ascertain what expenses were incurred by Thomas Beck in the contested election case of Flint versus Beck, in taking testimony and otherwise, and to report to the Senate what action, if any, is necessary thereon.

Adopted.

On motion of Mr. Pendegast, the rules were suspended for the consideration of Assembly Bill No. 485, this day reported.

Amendments reported by the Judiciary Committee adopted, bill read a third time, and upon the passage of the bill the roll was called with the following result:

AYES—Messrs. Andross, Banvard, Beck, Betge, Boggs, Boucher, Comte, Crane, Duffy, Evans, Farley, Finney, Fowler, Garratt, Goodale, Gwin, Hutchings, Irwin, Keys, Larkin, Maclay, McCoy, McKusick, McMurry, Minis, Neff, O'Connor, Oulton, Pendegast, Tompkins, Turner, Tuttle, Wand, Wilson, and Wing—35.

NOES—None.

GENERAL FILE.

Assembly Joint Resolution No. 8—Relative to asking Congress to prepare an amendment to the Constitution of the United States changing the time and place of electing United States Senators.

Upon the adoption of the report of the Committee on Federal Relations recommending that the bill do not pass, the ayes and noes were demanded by Messrs. Evans, Finney, and Larkin, and the Senate so ordered by the following vote:

AYES—Messrs. Beck, Boggs, Comte, Duffy, Farley, Fowler, Garratt, Gwin, Hutchings, Irwin, Keys, Larkin, Maclay, McMurry, Minis, O'Connor, Oulton, Pendegast, Tompkins, Turner, Tuttle, and Van Ness—22.

NOES—Messrs. Banvard, Boucher, Crane, Dyer, Evans, Finney, Goodale, McKusick, Neff, Wand, Wilson, and Wing—12.

Senate Bill No. 165—An Act to provide for the condemnation of lands for road purposes in the County of Santa Cruz.

Read a third time and passed.

[Mr. Larkin in the chair.]

Senate Bill No. 291—An Act for the relief of Joseph S. Emery.

Recommitted to Committee on Claims with special instructions.

Assembly Bill No. 227—An Act for the relief of the California volunteer officers and sailors of the United States navy who have honorably served within the State of California.

Report of the Committee on Claims, recommending that the bill do not pass, was adopted.

Assembly Bill No. 305—An Act to provide for the funding of the indebtedness of the reclamation and levee districts of the State.

Made the special order for three o'clock P. M. this day.

[Mr. O'Connor in the chair.]

Assembly Bill No. 165—An Act for the relief of John Jackson, Sheriff and ex officio Tax Collector of Trinity County.

Pending the consideration of the bill the Senate took a recess until two o'clock P. M.

REASSEMBLED.

Senate reassembled at two o'clock P. M.

President pro tem in the Chair.

Roll called.

Quorum present.

SUSPENSION OF THE RULES.

On motion of Mr. Irwin, the rules were suspended, for the purpose of allowing him to move a reconsideration of the vote by which the Senate, on this day, adopted the report of the Committee on Claims, recommending that Assembly Bill No. 227—An Act for the relief of the Cali-

fornia volunteer officers and sailors of the United States navy who have honorably served within the State of California, do not pass.

On motion of Mr. Irwin, the vote was reconsidered.

Mr. Irwin offered the following amendment to section one of the bill:

Amend section one, line one: after the word "volunteer" add "non-commissioned."

Adopted.

On motion of Mr. Oulton, the bill was indefinitely postponed.

SPECIAL ORDER.

Senate Bill No. 242—An Act to create the office and define the duties of the State Board of Forest Commissioners, etc.

Amendment reported by the Committee on Agriculture adopted.

Upon ordering the bill engrossed, the ayes and noes were demanded by Messrs. Duffy, Betge, and Maclay, and the Senate so ordered by the following vote:

AYES—Messrs. Andross, Betge, Boggs, Comte, Duffy, Dyer, Evans, Finney, Fowler, Garratt, Gwin, Hutchings, Irwin, Kent, Keyes, Maclay, McMurry, Neff, Oulton, Pendegast, Perkins, Tompkins, Turner, Tuttle, Van Ness, Wand, Wilson, and Wing—28.

NOES—Messrs. Banvard, Crane, DeHaven, Farley, Goodale, Larkin, Minis, and O'Connor—8.

Assembly Bill No. 305—An Act to provide for the funding of the indebtedness of the reclamation and levee districts of the State.

On motion of Mr. Larkin, the bill was ordered reprinted and referred to the Judiciary Committee.

GENERAL FILE RESUMED.

Senate resumed consideration of Assembly Bill No. 165—An Act for the relief of John Jackson, Sheriff and ex officio Tax Collector of Trinity County.

Mr. Oulton offered the following amendment to the bill:

SECTION 1. The Board of Supervisors of Trinity County is hereby authorized to allow John Jackson such a sum of money as he may have expended in defending himself in a certain suit brought against him while acting as Sheriff and ex officio Collector of foreign miners' licenses of said county, to restrain him from collecting such licenses. The sum (if any) allowed by the said Board of Supervisors under this Act shall be paid out of the General Fund of said Trinity County as other moneys are paid.

Upon the adoption of the bill, the ayes and noes were demanded by Messrs. Oulton, Evans, and Banvard, and the amendment was lost by the following vote:

AYES—Messrs. Andross, Boucher, Crane, Duffy, Dyer, Evans, Finney, Garratt, Goodale, McKusick, Neff, Oulton, Tompkins, and Wing—14.

NOES—Messrs. Banvard, Betge, Boggs, Comte, De Haven, Farley, Fowler, Gwin, Hutchings, Irwin, Kent, Keys, Larkin, Maclay, McCoy, McMurry, Minis, O'Connor, Pendegast, Perkins, Tuttle, Van Ness, Wand, and Wilson—25.

The bill was read a third time, and upon the passage of the bill the ayes and noes were demanded by Messrs. Finney, Oulton, and Minis, and the bill was passed by the following vote:

AYES—Messrs. Banvard, Beck, Betge, Boggs, Conte, Duffy, Farley, Fowler, Gwin, Hutchings, Irwin, Kent, Keys, Larkin, Maclay, McCoy, McMurry, Minis, O'Connor, Pendegast, Tuttle, Van Ness, Wand, and Wilson—24.

NOES—Messrs. Andross, Boucher, Crane, De Haven, Dyer, Evans, Finney, Garratt, Goodale, McKusick, Neff, Oulton, Perkins, Tompkins, and Turner—16.

NOTICE.

Mr. Duffy gave notice that he would to-morrow move to reconsider the vote by which Assembly Bill No. 165 was passed.

RESOLUTION.

By Mr. McCoy—Resolution relative to Indian outrages in Arizona.

Referred to the Committee on Federal Relations, and ordered printed.

At five o'clock and thirty minutes P. M., on motion of Mr. Fowler, the Senate adjourned.

J. F. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Friday, March 8th, 1872.

Senate met pursuant to adjournment.
President pro tem in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

MEMORIAL.

The President pro tem presented a memorial from Charles E. Pickett, upon the policy of licensing and regulating gambling and bawdy houses.

Referred to the Committee on Public Morals.

Mr. Perkins presented a memorial relative to the Territory of Alaska.

Referred to the Committee on Federal Relations.

REPORTS.

Reports were made as follows:

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and

find correctly engrossed Senate Bill No. 104—An Act to provide for the payment of certain witnesses in the case of The People versus Horace Smith.

Also, Senate Bill No. 260—An Act to amend an Act entitled an Act to incorporate the Town of Brooklyn, and to define and establish the boundary line between said town and the City of Oakland, approved April fourth, eighteen hundred and seventy.

Also, Senate Bill No. 358—An Act concerning public roads and highways in the County of Monterey.

Also, Senate Bill No. 279—An Act to amend an Act entitled an Act to fix the compensation of officers, to provide for funding the floating debt of the County of Santa Barbara, and prohibit the contracting of any new indebtedness against said county, approved April fourth, eighteen hundred and sixty-four.

Also, Senate Bill No. 217—An Act to amend an Act entitled an Act to provide for the funding of the indebtedness of the County of San Luis Obispo outstanding on the first day of July, eighteen hundred and sixty-three, approved March sixth, eighteen hundred and sixty three.

Also, Senate Bill No. 336—An Act to provide for the payment of expenses incurred in construction of new State Armory, and for services rendered in cleaning and restoring State military property.

Also, Senate Bill No. 313—An Act relative to unpaid warrants and assessments in Reclamation District Number One Hundred and Eight.

Also, Senate Bill No. 319—An Act concerning a certain road in the County of Sierra.

Also, Senate Bill No. 339—An Act authorizing the transcribing of certain records in the County of San Luis Obispo.

Also, Senate Bill No. 345—An Act to fix the salary of the members of the Board of Supervisors of the County of Trinity.

NEFF, for Committee.

By Mr. Wilson:

Mr. President: The Committee on Agriculture have considered Senate Bill No. 256—An Act to encourage silk culture and manufacture—and while realizing the importance of the silk interest if it can be successfully introduced into this State, and perceiving some good points in the bill submitted, yet your committee doubt the propriety of extending State aid to the enterprise at this time; they therefore beg leave to report said bill back without recommendation.

Also, Senate Bill No. 331—An Act to authorize certain parties to construct weirs and traps in the Straits of Carquinez for the purpose of taking fish—and report that they deem it against public policy to grant such exclusive rights as are asked for in said bill, and recommend that said bill do not pass.

Also, Senate Bill No. 289—An Act amendatory of and supplemental to an Act entitled an Act to provide for the restoration and preservation of fish in the waters of this State, approved April second, eighteen hundred and seventy—and in the opinion of the committee said bill is defective, inasmuch as it prohibits the taking of fish in the months when the fish are best fitted for table use; they therefore report said bill back and recommend that it do not pass.

Also, Senate Bill No. 326—An Act to promote irrigation—and report the same back with a recommendation that it do not pass.

Also, Senate Bill No. 334—An Act to improve the quality of fish in

Clear Lake and to supply its waters with different species thereof—your committee having doubts as to the contemplated operation of said bill, beg leave to report the same back that further explanation may be made regarding it by its author, and that it be considered in Committee of the Whole.

Your committee also report back the petition from the ramie planters and manufacturers, asking that the committee will "prepare and submit a bill providing for an award of premiums by the State to encourage the culture and manufacture of ramie," etc. The committee have not drafted the bill asked for, inasmuch as they deem it unwise policy for the State to pay money out of the treasury to encourage experiments and foster industries which should be self-sustaining.

All of which is respectfully submitted.

WILSON, Chairman.

By Mr. Fowler:

Mr. President: The Committee on Public Lands, to whom was referred Senate Bill No. 287—An Act to amend an Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to the town lands granted to the incorporated towns in this State by the Act of Congress entitled an Act for the relief of the inhabitants of cities and towns upon the public lands, approved March second, eighteen hundred and sixty-seven—have duly considered the same, and beg leave to report said bill back with a recommendation that it do not pass.

FOWLER, Chairman.

By Mr. McMurry:

Mr. President: The Committee on Claims, to which was referred Senate Bill No. 291, with instructions, herewith report the bill with amendment as per instruction, and recommend the passage of the bill as amended.

McMURRY, for Committee.

By Mr. Tuttle:

Mr. President: The Committee on Education have considered Senate Bill No. 322—An Act to amend an Act entitled an Act to create and organize the University of California, approved March twenty-third, eighteen hundred and sixty-eight—and recommend its passage.

Also, Assembly Bill No. 260—An Act to amend an Act to provide for a system of common schools, approved April fourth, eighteen hundred and seventy—and recommend its passage.

TUTTLE, Chairman.

By Mr. Banvard:

Mr. President: The Committee on Finance have had under consideration substitute for Assembly Bill No. 233—An Act for the payment of certain equitable claims of J. M. Hutchings, A. J. Black, and J. C. Lamon, settlers in the Yosemite Valley—and report the same back and recommend that it do not pass.

The evidence presented to the committee in support of this bill showed conclusively that if this bill should be enacted into a law it would not effect a settlement of the claims of the parties named therein—one of them, J. M. Hutchings, valuing his individual claim at over sixty thousand dollars, and refusing to take less. Soon after the Commission-

ers were appointed by the State of California to take possession of and assume the management of the valley, they brought an action of ejectment in the Thirteenth District Court of this State against J. M. Hutchings. This suit was decided against the Commissioners, and by them appealed to the Supreme Court of this State, in which Court the decision of the lower Court was reversed. It was then, at the instance of J. M. Hutchings, taken by writ of error to the Supreme Court of the United States, where it is now pending. This was made a test case, and its decision will determine the claims of all the parties named in the bill herewith reported. Until that decision is made your committee find that no settlement can be made with Mr. Hutchings, and therefore submit that the passage of this bill would effect no settlement of the claims mentioned therein. If the decision of the Supreme Court of the United States confirms the claims of those parties to their locations of land made in the Yosemite Valley, they will require no relief from the State, and it may be said that they do not desire any; if the decision is adverse to their claims, then your committee are satisfied that the Commissioners on behalf of the State will lease to them on just terms, as provided in the Act of Congress ceding the valley to the State.

BANVARD, Chairman.

By Mr. Irwin:

Mr. President: The delegation from Siskiyou County, to whom was referred Assembly Bill No. 515—An Act to incorporate the Town of Fort Jones, Siskiyou County, California.

Also, Assembly Bill No. 130—An Act for the preservation of fish in the waters of Siskiyou County.

Has had the same under consideration, and now reports the same back with amendments, and asks that the amendments be adopted and the bills passed as amended.

IRWIN.

By Mr. McKusick:

Mr. President: The El Dorado delegation, to whom was referred Senate Bill No. 353—An Act to provide for the election of a Treasurer and Tax Collector of El Dorado County, and to fix his compensation—report the same back with amendments and recommend its passage.

McKUSICK,
LARKIN.

On motion of Mr. McKusick, the rules were suspended for the consideration of Senate Bill No. 353, above reported.

Amendments reported by the delegation adopted; rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Wand:

Mr. President: The San Francisco delegation have had under consideration the following bills, and report the same back as follows:

Assembly Bill No. 274—An Act to amend an Act entitled an Act to authorize the Exempt Fire Company of San Francisco to receive and manage the San Francisco Fire Department Charitable Fund, and receive from the City and County of San Francisco a house and lot for its

use, approved April second, eighteen hundred and sixty-six—report the same back and recommend its passage.

Also, Senate Bill No. 318—An Act amendatory of an Act to provide for the improvement of parks in the City of San Francisco, approved April fourth, eighteen hundred and seventy—report the same back and recommend that it do not pass.

Also, Senate Bill No. 319—An Act amendatory of an Act to provide for the erection of a City Hall in the City of San Francisco, approved April fourth, eighteen hundred and seventy—report the same back and recommend that it do not pass.

Also, substitute for Assembly Bill No. 42—An Act to amend an Act entitled an Act to establish a quarantine for the bay and harbor of San Francisco, and sanitary laws for the City and County of San Francisco—and a majority of the delegation report in favor of its passage.

Also, Assembly Bill No. 357—An Act amendatory of an Act for the more effectual prevention of cruelty to animals, approved March thirtieth, eighteen hundred and sixty eight—report the same back and recommend its passage.

Also, Senate Bill No. 372—An Act for the relief of certain parties holding property on Market street, in the City and County of San Francisco—reported back and passage recommended.

WAND, for Delegation.

By Mr. Hutchings:

Mr. PRESIDENT: Your Committee on Enrollment respectfully report that they have examined and find correctly enrolled Senate Bill No. 263—An Act to provide for the erection of a school house in Modesto School District, in the County of Stanislaus.

Also, Senate Bill No. 160—An Act to pay the expenses necessarily incurred in suppressing Indian hostilities in the Counties of Humboldt and Trinity, in the years eighteen hundred and sixty-eight and eighteen hundred and sixty-nine.

Also, Senate Bill No. 324—An Act to enable the City of Stockton to redeem its bonds falling due in the year eighteen hundred and seventy-three.

Also, Senate Bill No. 257—An Act to provide for the opening and improvement of Santa Clara and Saratoga Avenue, in the County of Santa Clara.

And presented the same to the Governor for his approval, this day at ten o'clock and thirty minutes A. M.

HUTCHINGS.

Mr. PRESIDENT: Your Committee on Enrollment report that they delivered to the Governor, at two o'clock and thirty minutes P. M., Senate Bill No. 363—An Act entitled an Act to establish a Code of Civil Procedure.

HUTCHINGS.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Education have had under consideration Senate Bill No. 374—An Act supplementary to an Act entitled an Act for the endowment of the University of California, approved April second, eighteen hundred and seventy. The committee fully appreciate the great importance of the University and its claims for

such reasonable and proper support as will give it the highest possible efficiency consistent with a due regard to a wise economy; they have thought, therefore, that a bill providing for the payment of any monthly deficiency in its income, limited, however, to a fixed and reasonable sum, would supply the necessities of the University, and at the same time guard the interests of the State. It is confidently believed that the increasing revenue of the University from sales of lands and from the Tide Land Fund, will, within the next two years, render it self sustaining. The committee, therefore, report back said bill with a substitute, and recommend the adoption and passage of the substitute.

TUTTLE, Chairman.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 337—An Act to amend an Act entitled an Act to establish a State Normal School, approved April fourth, eighteen hundred and seventy.

TUTTLE, Chairman.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
March 7th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the seventh day of March, adopted Senate Concurrent Resolution No. 26—Relative to printing in Spanish and distributing Governor's Messages.

Also, on same day, passed Assembly Bill No. 429—An Act to authorize the Board of Supervisors of Merced County to levy a special tax for the purpose of constructing a bridge across the Merced River.

Also, on the same day, passed Assembly Bill No. 472—An Act in relation to certain officers in Tehama County.

Also, on the same day, passed Assembly Bill No. 324—An Act concerning actions for libel.

Also, passed Assembly Bill No. 458—An Act to amend an Act entitled an Act concerning roads and highways in the County of Santa Clara, approved March thirty-first, eighteen hundred and sixty-six, and to repeal an Act entitled an Act to amend an Act entitled an Act concerning roads and highways in the County of Santa Clara, approved March thirty-first, eighteen hundred and sixty-six, approved March fourteenth, eighteen hundred and sixty-eight.

Also, on the same day, passed Senate Bill No. 351—An Act supplementary to an Act entitled an Act to authorize the Board of Supervisors of Mendocino County to issue bonds of said county and apply the same to the construction of wagon roads in said county, approved February twentieth, eighteen hundred and seventy-two.

Also, on the same day, passed Senate Bill No. 271—An Act concerning roads in the County of Butte.

Also, on the same day, passed Senate Bill No. 316—An Act to authorize the issue of bonds by the County of Inyo to erect county bridges and buildings.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 7th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this seventh day of March, passed Senate Bill No. 363—An Act to establish a Code of Civil Procedure—and the same was ordered transmitted immediately to the Senate.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 7th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the sixth day of March, passed substitute for Assembly Bill No. 196—An Act to determine who must act as the Chief Justice of the Supreme Court.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Substitute for Assembly Bill No. 196, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Concurrent Resolution No. 26, above reported, read first and second times and referred to the Committee on Printing.

Assembly Bill No. 429, above reported, read first and second times and referred to the Stanislaus delegation.

Assembly Bill No. 472, above reported, read first and second times and referred to the Tehama delegation.

Assembly Bill No. 324, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 458, above reported, read first and second times and referred to the Committee on Roads and Highways.

REPORT.

Mr. Duffy verbally reported Assembly Bill No. 349, and recommended its reference to the Committee on Swamp and Overflowed Lands.

On motion of Mr. Duffy, the bill was so referred.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Irwin—An Act to establish a Political Code.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed, and ordered transmitted to the Assembly without engrossment.

By Mr. Garratt—An Act to authorize the Board of Supervisors of the City and County of San Francisco to enter into a contract for supplying said city with pure, fresh water, for its uses and for the use of the inhabitants thereof.

Read first and second times and referred to the San Francisco delegation, and ordered printed.

By Mr. Boggs—An Act to authorize the Trustees of the Town of Colusa to call an election of the qualified voters of said town to vote upon the continuance or dissolution of the municipal corporation of said town.

Read first and second times, and referred to the Committee on Corporations.

By Mr. Beck—An Act in relation to the office of District Attorney in Santa Cruz County.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Perkins—An Act to authorize Margaret McDaniel, administratrix of the estate of Thomas McDaniel, deceased, to borrow money to pay the debts of the estate.

Read first and second times and referred to the Judiciary Committee.

RESOLUTIONS.

By Mr. Beck:

Resolved, That the sum of seven hundred dollars be and is hereby allowed to Levi Goodrich, Victor Hoffman, and H. McKeachney for measuring, calculating, and reporting on the State Normal School building, etc., and that the same be taken out of the appropriation for contingent expenses of the Senate.

Referred to the Committee on Contingent Expenses.

By Mr. Maclay:

Resolved by the Senate, the Assembly concurring, That the Governor be requested to return Senate Bill No. 257, for the purpose of correcting a clerical error.

Adopted.

COMMUNICATION.

The President pro tem presented the following communication:

OFFICE OF CONTROLLER OF STATE,
Sacramento, March 8th, 1872.

Hon. R. PACHECO, *President of the Senate:*

SIR: I beg leave to call your attention to the fact that the appropriation for contingent expenses of the Senate of the nineteenth session is now exhausted.

Very respectfully, etc., JAMES J. GREEN,
Controller.

Read and referred to the Committee on Contingent Expenses.

REPORT.

By Mr. McKusick:

Mr. PRESIDENT: The El Dorado delegation, to whom was referred Sen-

ate Bill No. 352—An Act amendatory of and supplementary to an Act entitled an Act to reincorporate the City of Placerville and extend the limits thereof, approved April sixth, eighteen hundred and sixty-three—have had the same under consideration, and report the same back with amendment, and recommend its passage as amended.

McKUSICK,
LARKIN.

On motion of Mr. Kusick, the rules were suspended for the consideration of Senate Bill No. 352, above reported.

The amendments reported from the delegation adopted, rules suspended, bill considered engrossed, read a third time and passed.

RECONSIDERATION.

Mr. Duffy had leave to withdraw his notice of motion to reconsider the vote by which the Senate on yesterday passed Assembly Bill No. 165—An Act for the relief of John Jackson, Sheriff and ex officio Tax Collector of Trinity County.

GENERAL FILE.

Assembly Bill No. 218—An Act to create the County of Ventura, to establish the boundaries thereof, and to provide for its organization.

Read a third time and passed.

Senate Bill No. 103—An Act to provide for the assessment of encumbered real estate.

Made the special order for this day at three o'clock P. M.

Senate Bill No. 66—An Act for the relief of sufferers by the diversion of the American River.

Mr. Comte moved to indefinitely postpone the bill.

Upon which the ayes and noes were demanded by Messrs. Comte, Neff, and Duffy, and the Senate refused by the following vote:

AYES—Messrs. Beck, Betge, Boggs, Comte, Crane, Duffy, Dyer, Fowler, Goodale, Gwin, Hutchings, McCoy, Tompkins, and Wand—14.

NOES—Messrs. Banvard, Evans, Fraley, Garratt, Irwin, Kent, Larkin, McKusick, Minis, Neff, O'Connor, Oulton, Turner, and Wilson—14.

On motion of Mr. Comte, the bill was referred to a Committee of the Whole Senate, with instructions to amend section four as follows:

Strike out the words "And shall add to the amount of such damage seven per cent per year, from the date that said damage accrued to the date of his certificate;" also, by striking out in said section the words, "including said per cent."

The Committee of the Whole reported said amendment as per special instruction, which was adopted.

IN SENATE.

The bill was read a third time, and upon the passage of the bill the ayes and noes were demanded by Messrs. Comte, Duffy, and Neff, and the Senate refused by the following vote:

AYES—Messrs. Banvard, De Haven, Evans, Farley, Garratt, Irwin,

Kent, Larkin, McKusick, Minis, Neff, O'Connor, Oulton, Turner, and Wilson—15.

Noes—Messrs. Beck, Betge, Boggs, Comte, Crane, Duffy, Dyer, Fowler, Goodale, Gwin, Hutchings, Keys, McCoy, McMurry, Pendegast, Perkins, Tompkins, and Wand—18.

NOTICE OF RECONSIDERATION.

Mr. Pendegast gave notice that he would on to-morrow move to reconsider the vote by which the Senate refused to pass Senate Bill No. 66.

POINT OF ORDER.

Mr. Comte raised the point of order that the notice of motion to reconsider is out of order, for the reason that the Senate has on a previous day acted upon a motion to reconsider the vote by which the bill was refused engrossment.

The Chair decided the point of order not to be well taken, for the reason that this is the first time the question of the passage of this bill has been before the Senate, the former reconsideration having been had on the vote by which the Senate refused to order the bill engrossed.

Upon the question, "Shall the decision of the Chair stand as the decision of the Senate?" the ayes and noes were demanded by Messrs. Larkin, Minis, and Pendegast, and the Senate so ordered by the following vote:

Ayes—Messrs. Banvard, Beck, Crane, Evans, Garratt, Goodale, Irwin, Kent, Keys, Larkin, McCoy, McMurry, Minis, Neff, O'Connor, Pendegast, Perkins, Turner, and Wing—17.

Noes—Messrs. Comte, Duffy, Dyer, Fowler, Gwin, McKusick, Oulton, Tompkins, Wand, and Wilson—10.

At one o'clock and five minutes P. M. the Senate took a recess until two o'clock P. M.

REASSEMBLED.

Senate reassembled at two o'clock P. M.
President pro tem in the chair.
Roll called.
Quorum present.

INTRODUCTION OF BILLS.

By Mr. McMurry—An Act to appropriate money for the contingent expenses of the Legislature.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

On motion of Mr. Maclay, the rules were suspended for the consideration of Senate Bill No. 291, this day reported from the Committee on Claims.

Amendment reported by the Committee on Claims adopted, bill read a third time and passed.

GENERAL FILE.

Assembly Bill No. 331—An Act to authorize the Board of Supervisors

of Tehama to levy a special tax for school purposes in the school districts of Red Bluff, in Tehama County.

Read a third time and passed.

Assembly Bill No. 380—An Act concerning roads and highways in the County of El Dorado.

Amendments reported by the El Dorado delegation adopted, and bill read a third time and passed.

Assembly Bill No. 298—An Act to confirm the title to a certain lot of land in the City and County of San Francisco to the Trustees of the Associated Veterans of the Mexican War, and to authorize an exchange of said lands for certain property belonging to said city and county, or for a lease thereof.

Amendments reported by the San Francisco delegation adopted, and bill read a third time and passed. Title amended, and amendment adopted.

Assembly Bill No. 394—An Act to authorize the City of San José to issue bonds to provide sewerage for said city.

Read a third time and passed.

Substitute for Assembly Bill No. 13—An Act supplementary to an Act to repeal the several charters of the City of San Francisco, and establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved April nineteenth, eighteen hundred and fifty-six; and the Acts amendatory of and supplemental thereto.

Made the special order for Wednesday next, at one o'clock P. M.

Assembly Bill No. 315—An Act defining the duties of the County Assessor of Santa Clara County.

Passed on file.

Assembly Bill No. 363—An Act to provide for the construction and protection of the Alameda road.

Read a third time and passed.

[Mr. Pendegast in the chair.]

Assembly Bill No. 188—An Act to provide for listing and assessing all solvent debts, and to repeal an Act entitled an Act to prevent double taxation, approved April first, eighteen hundred and seventy, and the Act entitled an Act to relieve owners of encumbered real estate from double taxation, approved April fourth, eighteen hundred and seventy.

Report of committee, recommending that the bill do not pass, was adopted.

Assembly Bill No. 8—An Act to repeal an Act entitled an Act to prevent double taxation; also to repeal an Act entitled an Act to relieve owners of encumbered real estate from taxation.

Passed on file.

Assembly Bill No. 446—An Act to provide for the division of Yolo County into assessment districts, for the election of District Assessors, and to define their duties, liabilities, and compensation.

Referred to the Judiciary Committee.

REPORT.

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 353—An Act to provide for the election of a Treasurer and Collector of El Dorado County and to fix their compensation.

NEFF, for Committee.

INTRODUCTION OF BILL.

Mr. Comte had leave to introduce the following bill—An Act to enable the heirs or next of kin of Thomas Spriggs, deceased, to inherit his estate.

Read first and second times and referred to the Judiciary Committee.

[President pro tem in the chair.]

GENERAL FILE RESUMED.

Assembly Bill No. 8—An Act to raise revenue in Plumas County for hospital and other purposes.

Read a third time and passed.

SPECIAL ORDER.

Senate Bill No. 103—An Act to provide for the assessment of encumbered real estate.

The bill was read a third time, and upon the passage of the bill the ayes and noes were demanded by Messrs. Evans, Mims, and Larkin, and the Senate refused by the following vote:

AYES—Messrs. Andross, Betge, Comte, Duffy, Garratt, Goodale, Hutchings, Kent, Larkin, Oulton, Tompkins, Wand, Wilson, and Wing—14.

NOES—Messrs. Banvard, Beck, Crane, De Haven, Dyer, Evans, Farley, Fowler, Gwin, Irwin, McCoy, McKusick, McMurry, Mims, Neff, O'Connor, Perkins, Turner, and Tuttle—19.

NOTICE OF RECONSIDERATION.

Mr. Evans gave notice that he would, on to-morrow, move to reconsider the vote by which the Senate refused to pass Senate Bill No. 103.

RESOLUTION.

By Mr. Oulton:

Resolved, That the Committee on Enrollment be and hereby are authorized to present Senate Bill No. 375 to the Governor for his approval in the precise condition in which it passed the Senate and Assembly, and that actual enrollment be dispensed with in the case of said bill.

Adopted.

GENERAL FILE RESUMED.

Senate Bill No. 294—An Act for the relief of W. B. Norman and A. C. Bradford.

Made the special order for Friday, March fifteenth, at twelve o'clock M.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
March 8th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the sixth day of March, refused third reading of Senate Bill No. 73—An Act fixing the compensation of Sheriffs of the several counties of the State in certain cases.

Also, on the seventh day of March, the House receded from its amendments to Senate Bill No. 170—An Act to encourage agriculture and other industries.

Also, on the same day, passed Assembly Bill No. 541—An Act to amend section thirteen of an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Also, on the same day, passed Assembly Bill No. 76—An Act to provide for the payment of the State's portion of the salary of the County Auditor of Mariposa County—and the same was ordered transmitted to the Senate without engrossment, on this eighth day of March.

Also, passed Assembly Bill No. 424—An Act to prevent animals from running at large in certain portions of Contra Costa County.

Also, passed, under a suspension of the rules, Assembly Bill No. 557—An Act concerning estrays in the County of Butte—and the same was ordered transmitted to the Senate without engrossment.

Also, passed, under a suspension of the rules, substitute for Assembly Bill No. 490—An Act to provide for the opening and improvement of Santa Clara Avenue, in the County of Santa Clara—and the same was ordered transmitted to the Senate without engrossment.

I am also directed to request the return of Assembly Bill No. 403—An Act for the relief of William S. Brown—for the purpose of being properly amended.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 8th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the fourth instant, passed the following bills:

Assembly Bill No. 418—An Act to legalize and confirm the election of school districts in the City of Vallejo, and other matters.

Also, Assembly Bill No. 419—An Act amendatory of and supplementary to an Act entitled an Act to establish and define the powers and duties of the Board of Education of the City of Vallejo, approved March twenty-fifth, eighteen hundred and seventy.

Also, Assembly Bill 465—An Act to authorize the Masonic and Odd Fellows' Cemetery Association and the citizens of Contra Costa County to remove human remains.

Also, Assembly Bill No. 415—An Act supplementary to an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty.

Also, Assembly Bill No. 246—An Act to authorize the Board of Supervisors of the City and County of San Francisco to close up Walnut Avenue, in said city and county.

Also, Assembly Bill No. 364—An Act to fix the salary of the Superintendent of Common Schools in the County of Plumas, and to prescribe the manner of paying the same.

Also, Assembly Bill No. 447—An Act in relation to mortgages upon growing crops.

Also, Assembly Bill No. 374—An Act to prevent hunting, shooting, and the felling of trees on private grounds in the Counties of Santa Barbara and San Luis Obispo.

Also, Assembly Bill No. 460—An Act to enforce the collection of license taxes.

Also, Assembly Bill No. 473—An Act to repeal an Act entitled an Act to provide for the improvement of the rivers and streams of Santa Clara County, approved April fourth, eighteen hundred and seventy.

Also, Assembly Bill No. 442—An Act to protect free bridges from injury.

Also, Assembly Bill No. 502—An Act to provide for the construction and maintenance of free bridges in the County of Trinity, and to set apart a fund therefor.

Also, Assembly Bill No. 503—An Act to authorize an additional levy of county taxes in the County of Trinity.

Also, Assembly Bill No. 520—An Act to legalize and confirm the election of Roadmasters in the respective road districts in Monterey County.

Also, substitute for Assembly Bill No. 489—An Act supplemental to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one.

Also, Assembly Bill No. 16—An Act to provide and pay for services rendered the City and County of San Francisco.

Also, Assembly Bill No. 496—An Act to repeal section two of an Act amendatory of and supplementary to an Act to prevent certain animals from running at large in Napa City, approved April seventeenth, eighteen hundred and sixty-three.

Also, Assembly No. 308—An Act to increase the police force of the City and County of San Francisco.

Also, Assembly Bill No. 483—An Act to prevent hogs and goats from running at large in the Town of Knight's Landing, Yolo County.

Also, Assembly Bill No. 417—An Act for the relief of Morris Woolf.

Also, Assembly Bill No. 440—An Act to provide for the location, construction, and maintenance of public roads in the County of Nevada.

Also, on the fifth of March, passed Assembly Bill No. 105—An Act to regulate the wharfage and dockage, and abolish tolls in the harbor of San Francisco.

Also, on the same day, passed Assembly Bill No. 528—An Act to authorize C. C. Bush, late County Judge of Shasta County, to execute a certain deed for town lands of the Town of Shasta.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 8th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the seventh day of March, passed Assembly Bill No. 434—An Act to provide for finishing the State Normal School building and paying the indebtedness incurred in the construction thereof.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 8th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this eighth day of March, passed, under a suspension of the rules, Senate Bill No. 375—An Act to establish a Political Code—and the same was ordered to be immediately transmitted to the Senate.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 8th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this eighth day of March, passed Senate Bill No. 317—An Act to amend an Act entitled an Act to incorporate the City of Gilroy, approved March twelfth, eighteen hundred and seventy.

Also, passed Senate Bill No. 321—An Act to amend an Act entitled an Act to authorize the issuance of bonds by the County of San Luis Obispo to erect county buildings and to provide a site for the same, approved April fourth, eighteen hundred and seventy.

Also, amended and passed Senate Bill No. 206—An Act to amend an Act entitled an Act to define and limit the compensation of officers and reduce public expenses and taxation in the County of San Mateo, approved February sixth, eighteen hundred and sixty-four.

Also, passed Senate Bill No. 226—An Act to continue the Geological Survey of the State of California.

Also, passed, with amendments, Senate Bill No. 69—An Act concerning estrays in the County of Napa.

Also, concurred in Senate Concurrent Resolution No. 44—Requesting the Governor to return Senate Bill No. 257 for the purpose of correcting a clerical error.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 8th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the seventh day of March, passed, under a suspension of the rules, Assembly Bill No. 338—An Act to amend an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties in this State and to provide for a bounty for the same, approved March sixteenth, eighteen hundred and seventy—and the same was ordered transmitted to the Senate without engrossment.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 541, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 434, above reported, read first and second times and referred to the Committee on Public Buildings.

Assembly Bill No. 76, above reported, read first and second times and referred to the Mariposa delegation.

Assembly Bill No. 424, above reported, read first and second times and referred to the Contra Costa delegation.

Assembly Bill No. 557, above reported, read first and second times and referred to the Committee on Agriculture.

Assembly Bill No. 490, above reported, read first and second times and referred to the Santa Clara delegation.

Senate Bill No. 206, above reported, Assembly amendments concurred in by the Senate.

Substitute for Assembly Bill No. 338, above reported, read first and second times, rules suspended, bill read a third time and passed.

Senate Bill No. 69, above reported, with amendments, referred to the Solano delegation.

At four o'clock and thirty five minutes P. M., on motion of Mr. Neff, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Saturday, March 9th, 1872.

Senate met pursuant to adjournment.
President pro tem in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Mr. Neff was granted leave of absence for one day.

PETITION.

Mr. Farley presented a petition from citizens of a portion of Amador County for the passage of a bill to prevent hogs from running at large.
Referred to the Amador delegation.

REPORTS.

Reports were made as follows:

By Mr. Perkins:

Mr. PRESIDENT: The Committee on Claims, to whom was referred Senate Bill No. 139—An Act for the payment of the principal and interest on California War Bond Number Thirty four—have had the same under consideration, and respectfully report the bill back amended, without recommendation, but with the following history of the bond:

It seems that a duplicate for this bond was issued to John C. Johnson by Act of April thirtieth, eighteen hundred and fifty-three, upon said Johnson giving bond to the State in the sum of two thousand dollars, with security to be approved by the Controller and Treasurer, conditioned that he would hold the State harmless should the original bond ever be presented to the Treasurer for payment; but the committee are now unable to find any such bond on file in the archives of the State. It is also ascertained that the duplicate was presented to the Commissioners California War Debt, certified by them, and paid by the United States, principal and interest, to the first of January, eighteen hundred and fifty-four. The claim is accompanied by a number of papers, among them being an affidavit on the part of the holder of the bond, who claims himself to be an innocent purchaser for value, and that the bond had not been out of his or his agent's possession since July, eighteen hundred and fifty-one; and we are unable to find any evidence that would indicate that there could have been any collusion or fraud between the claimant and Johnson, as the reputation of both is unimpeachable. But the committee are of the opinion the Legislature of eighteen hundred and fifty-three was in error in issuing a duplicate bond upon an ex parte hearing that the original was not in existence, as it is quite clear that by such proceeding she could not exclude the bona fide holder of the original bond, and the committee do not doubt the liability of the State to pay the original; but as there are other bonds and coupons outstanding of the same issue, and there is no question as to their being genuine, we can see no reason to urge why this should be made a preferred claim, but are clearly of the opinion some provision should be provided to have it share the same fate as other claims of the same nature.

By Mr. Tuttle: PERKINS, Chairman.

Mr. President: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 219—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers in the County of San Luis Obispo, approved March twenty-ninth, eighteen hundred and seventy.

Also, Senate Bill No. 340—An Act to authorize the Board of Supervisors of the County of San Luis Obispo to audit and allow the claim of M. B. Harrison.

Also, Senate Bill No. 242—An Act to create the office and define the duties of the State Board of Forest Commissioners and to encourage the culture of forest and timber trees.

Also, Senate Bill No. 320—An Act to protect agriculture and to prevent the trespassing of animals in the County of Colusa.

Also, Senate Bill No. 350—An Act to establish and maintain a dispensary in the City of Sacramento.

By Mr. Wilson: TUTTLE, for Committee.

Mr. President: Your Committee on Agriculture, to whom was referred Assembly Preamble and Joint Resolution No. 26—Relative to the culture of the grape, etc.—having duly considered the same, beg leave to report it back with a recommendation that the Senate concur in the resolution.

WILSON, Chairman.

By Mr. Maclay:

Mr. PRESIDENT: Your committee to whom was referred Senate Bill No. 240—An Act to amend an Act entitled an Act to authorize the incorporation of canal companies and the construction of canals—have had the same under consideration, report the same back, and recommend that the bill be returned to the author for correction, as it is improperly drawn up.

Also, have had under consideration Senate Bill No. 184—An Act granting the right of way and right to construct, maintain, and operate a railroad from Owen's Lake, in the County of Inyo, to the City of Los Angeles, or to tide water on the Pacific Ocean—report the same back with amendments, recommend the adoption of the amendments, and the passage of the bill as amended.

MACLAY, Chairman.

By Mr. Tompkins:

Mr. PRESIDENT: The Committee on Judiciary have had under consideration Assembly Bill No. 316—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one.

Also, Senate Bill No. 371—An Act to provide for the settlement of the value of school property in the several school districts that were adjacent to the City of Stockton, and which was, by Act of the Legislature, approved January twenty sixth, eighteen hundred and seventy, included within the limits of said city.

And report the same back and recommend their passage.

Also, have had under consideration Assembly substitute for Assembly Bill No. 196—An Act to determine who must act as the Chief Justice of the Supreme Court.

Also, Assembly substitute for Assembly Bill No. 120—An Act to regulate practice in the Supreme Court.

Also, Senate Bill No. 270—An Act to provide for the incorporation of tramroad companies in certain counties of this State.

Also, Senate Bill No. 367—An Act to empower the City of Stockton to fund its school debt and for school purposes.

Also, Assembly substitute for Assembly Bill No. 112—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

And report the same back with amendments, and recommend the adoption of the amendments and the passage of the several bills as amended.

Also, have had under consideration Assembly Bill No. 276—An Act supplementary to an Act creating the office of Insurance Commissioner.

Also, Senate Bill No. 369—An Act to provide for printing and distributing Meredith's Great Register of the State of California.

Also, Assembly Bill No. 402—An Act amendatory of an Act entitled an Act to provide for binding minors as apprentices, clerks, and servants, approved April tenth, eighteen hundred and fifty-eight.

Also, Assembly Bill No. 279—An Act to amend an Act entitled an Act concerning the Courts of justice of this State and judicial officers, approved April twentieth, eighteen hundred and sixty-three.

Also, Assembly Bill No. 265—An Act authorizing the District Courts

of this State to appoint assistant counsel in the prosecution of criminal cases and providing compensation therefor.

And report the same back and recommend that they do not pass.

Also, report back Senate Bill No. 354—An Act to reincorporate the City of Vallejo—and recommend its reference to the Committee on Corporations, as the consideration of the subject matter is more properly within the province of that committee.

TOMPKINS, Chairman.

On motion of Mr. Tompkins, Senate Bill No. 354, above reported, was referred to the Committee on Corporations.

On motion of Mr. Tompkins, the rules were suspended for the consideration of substitute for Assembly Bill No. 196, above reported.

Amendments reported by the committee adopted, bill read a third time and passed.

By Mr. Hutchings:

Mr. PRESIDENT: Your Committee on Enrollment report that they have delivered this day, at three o'clock and forty five minutes P. M., Senate Bill No. 375—An Act to establish a Political Code.

HUTCHINGS.

Mr. Van Ness verbally reported Senate Joint Resolution No. 7, and recommended its passage.

The rules were suspended, and the resolution above reported was adopted.

Mr. Maclay verbally reported substitute for Assembly Bill No. 490, and recommended its passage.

The rules were suspended, and the bill above reported was read a third time and passed.

By Mr. Pendegast:

Mr. PRESIDENT: The Napa delegation, to whom was referred Assembly Bill No. 392—An Act supplementary to an Act entitled an Act to raise a fund for the improvement of Napa City, approved January twenty-fourth, eighteen hundred and seventy—have considered the same, and now report it back and respectfully recommend its passage.

PENDEGAST, for Delegation.

On motion of Mr. Pendegast, the rules were suspended, and Assembly Bill No. 392, above reported, was read a third time and passed.

Mr. Gwin verbally reported Assembly Bill No. 423, and recommended its passage.

On motion of Mr. Gwin, the rules were suspended, and Assembly Bill No. 423, above reported, was read a third time and passed.

By Mr. Keys:

Mr. PRESIDENT: The Merced delegation, to whom was referred Assembly Bill No. 429, have the honor to return the same and recommend its passage.

KEYS, for Delegation.

Mr. Tuttle verbally reported Senate Bill No. 361 without recommendation; and, on motion of Mr. Tuttle, the bill was made the special order for Tuesday next, at twelve o'clock M.

MESSAGE FROM THE GOVERNOR.

The following message were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 8th, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 67—An Act to amend an Act entitled an Act to provide five competitive scholarships for the benefit of meritorious young men desirous of entering the State University, approved April first, eighteen hundred and seventy.

Also, Senate Bill No. 212—An Act to incorporate the Town of Alameda.

Also, Senate Bill No. 252—An Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one.

Also, Senate Bill No. 298—An Act to provide funds for the construction and improvement of highways in the County of San Mateo.

Also, Senate Bill No. 258—An Act to change the name of the Front street, Mission, and Ocean Railroad Company.

NEWTON BOOTH, Governor.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
March 9th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the eighth day of March, passed Senate Bill No. 196—An Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, passed March seventeenth, eighteen hundred and sixty-one.

Also, passed Senate Bill No. 265—An Act supplemental to an Act entitled an Act defining the time for commencing civil actions, passed April twenty-second, eighteen hundred and fifty.

Also, passed Senate Bill No. 310—An Act concerning service of summons upon absent defendents by publication.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 8th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the

Assembly, on the fifth day of March, passed Assembly Bill No. 125—An Act in relation to life insurance.

Also, passed Assembly Bill No. 41—An Act to legalize and confirm certain ordinances passed and contracts made by the Board of Supervisors of the City and County of San Francisco relative to the removal of dead animals from the city limits.

Also, on the sixth instant, passed Assembly Bill No. 438—An Act to provide for the redemption of the bonded indebtedness of Calaveras County.

Also, passed Assembly Bill No. 535—An Act to amend an Act entitled an Act concerning common schools in the City of Placerville, approved April first, eighteen hundred and sixty-four.

Also, passed Assembly Bill No. 538—An Act to prohibit the hunting or shooting of game within certain private grounds in the County of Butte.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 9th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this ninth day of March, passed, with amendments, Senate Bill No. 380—An Act to appropriate money for the contingent expenses of the Legislature—and the same was ordered transmitted to the Senate.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 418, heretofore reported, read first and second times and ordered on file.

Assembly Bill No. 419, heretofore reported, read first and second times and referred to the Committee on Education.

Assembly Bill No. 465, heretofore reported, read first and second times and ordered on file.

Substitute for Assembly Bill No. 415, heretofore reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 246, heretofore reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 364, heretofore reported, read first and second times and referred to the Committee on Education.

Assembly Bill No. 447, heretofore reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 374, heretofore reported, read first and second times and referred to the Committee on Agriculture.

Assembly Bill No. 460, heretofore reported, read first and second times and referred to the Committee on State and County Revenue.

Assembly Bill No. 473, heretofore reported, read first and second times and referred to the Committee on Commerce and Navigation.

Assembly Bill No. 442, heretofore reported, read first and second times and referred to the Committee on Roads and Highways.

Assembly Bill No. 502, heretofore reported, read first and second times and referred to the Trinity delegation.

Assembly Bill No. 503, heretofore reported, read first and second times and referred to the Trinity delegation.

Assembly Bill No. 520, heretofore reported, read first and second times and referred to the Monterey delegation.

Substitute for Assembly Bill No. 189, heretofore reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 16, heretofore reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 496, heretofore reported, read first and second times and ordered on file.

Assembly Bill No. 308, heretofore reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 483, heretofore reported, read first and second times and referred to the Yolo delegation.

Assembly Bill No. 417, heretofore reported, read first and second times and referred to the Committee on Claims.

Assembly Bill No. 440, heretofore reported, read first and second times and referred to the Nevada delegation.

Assembly Bill No. 105, heretofore reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 528, heretofore reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 125, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 41, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 438, above reported, read first and second times and referred to the Finance Committee.

Assembly Bill No. 535, above reported, read first and second times and referred to the El Dorado delegation.

Assembly Bill No. 538, above reported, read first and second times and referred to the Butte delegation.

Senate Bill No. 380, above reported, amendments reported from the Assembly concurred in by the Senate.

Senate Bill No. 170, above reported, Assembly refuse to recede from their amendments.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Duffy—An Act to provide for the settlement of the claim of E. L. Brown.

Read first and second times and referred to the Committee on Claims.

By Mr. McKusick—An Act to amend an Act entitled an Act to regulate and license places of public amusement, approved April thirteenth, eighteen hundred and sixty-three.

Read first and second times and referred to the Committee on State and County Revenue.

By Mr. Wand—An Act to add another section to the Penal Code.

Read first and second times and referred to the Judiciary Committee.

By Mr. Minis—An Act in regard Swamp Land District Number Eighteen.

Read first and second times and referred to the Yolo delegation.

MOTIONS, RESOLUTIONS, AND NOTICES.

By Mr. Banvard:

Resolved, That the Committee on State Hospitals, composed of Senators Keys, Gwin, Boggs, Evans, and Goodale, and also Owen Thorn, Clerk of said committee, be and they are hereby allowed forty-four dollars and eighty cents, mileage, in traveling to and from San Francisco on committee duty.

Rules suspended and resolution adopted.

On motion of Mr. Larkin, Senate Bill No. 247 was taken from the table.

Rules suspended, bill considered engrossed, read a third time and passed.

RECONSIDERATION.

Pursuant to notice, Mr. Pendegast moved to reconsider the vote by which the Senate on yesterday refused to pass Senate Bill No. 66.

Mr. Comte moved to indefinitely postpone the motion to reconsider.

Upon which the ayes and noes were demanded by Messrs. Comte, Duffy, and Dyer, and the Senate so ordered by the following vote:

AYES—Messrs. Beck, Betge, Comte, Crane, Duffy, Dyer, Finney, Fowler, Goodale, Gwin, Hutchings, McCoy, McMurry, Perkins, Tompkins, Wand, and Wilson—17.

NOES—Messrs. Evans, Farley, Irwin, Kent, Larkin, McKusick, Minis, O'Connor, Oulton, Pendegast, and Turner—11.

Pursuant to notice, Mr. Evans moved to reconsider the vote by which the Senate on yesterday refused to pass Senate Bill No. 103.

On motion of Mr. Evans, the motion to reconsider was ordered at the top of the file for Monday next.

RESOLUTION.

By Mr. Comte:

Resolved, That when the Senate does this day adjourn it will adjourn to meet on Monday, March eleventh, at half-past two o'clock P. M.

Adopted.

REPORT.

By Mr. Pendegast:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 378—An Act in relation to the office of District Attorney of Santa Cruz County.

Also, Senate Bill No. 352—An Act amendatory of and supplementary to an Act entitled an Act to reincorporate the City of Placerville and extend the limits thereof, approved April sixth, eighteen hundred and sixty-three.

PENDEGAST, for Committee.

Assembly Bill No. 234—An Act to amend an Act entitled an Act to regulate the interest of money, approved March thirteenth, eighteen hundred and fifty, amended April fourth, eighteen hundred and seventy.

Substitute reported by the Judiciary Committee adopted, bill read a third time, and passed.

Assembly Bill No. 287—An Act to prevent persons passing through inclosures and leaving them open, and tearing down fences to make passage through inclosures.

Read a third time and passed.

Assembly Bill No. 379—An Act to authorize the Treasurer of San Joaquin County to transfer certain funds to the General School Fund of said county.

Read a third time and passed.

Assembly Bill No. 248—An Act to grant to the Town of San Bernardino all the interest of the State in certain real property.

Read a third time and passed.

Assembly Bill No. 133—An Act to amend an Act entitled an Act to regulate proceedings in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one.

Report of the Judiciary Committee, recommending that the bill do not pass, adopted.

Assembly Bill No. 353—An Act to remedy defects in certain county records.

Read a third time and passed.

Assembly Bill No. 274—An Act to amend an Act entitled an Act to authorize the Exempt Fire Company of San Francisco to receive and manage the San Francisco Fire Department Charitable Fund and receive from the City and County of San Francisco a house and lot for its use, approved April second, eighteen hundred and sixty-six.

Read a third time and passed.

Assembly Bill No. 42—An Act to amend an Act entitled an Act to establish a quarantine for the Bay and Harbor of San Francisco.

Mr. Wand moved to pass the bill on file.

Upon which the ayes and noes were demanded by Messrs. O'Connor, Oulton, and Finney, and the Senate so ordered by the following vote:

Ayes—Messrs. Banvard, Beck, Betge, Comte, Duffy, Farley, Fowler, Gwin, Hutchings, Irwin, Keys, Minis, O'Connor, Pendegast, Tompkins, Tuttle, Wand, and Wilson—18.

Noes—Messrs. Andross, Boucher, Crane, De Haven, Dyer, Evans, Finney, Garratt, Goodale, Kent, McKusick, Oulton, Perkins, Turner, and Wing—15.

Assembly Bill No. 315—An Act defining the duties of the County Assessor of Santa Clara County.

Passed on file.

Assembly Bill No. 430—An Act for the preservation of fish in the waters of Siskiyou County.

Read a third time and passed.

Assembly Bill No. 233—An Act to provide for the payment of claims of Hutchings, Black, and Lamon, settlers in Yosemite Valley.

Report of Finance Committee recommending, that the bill do not pass, adopted.

Assembly Bill No. 260—An Act to amend an Act to provide for a system of common schools, approved April fourth, eighteen hundred and seventy.

Read a third time and passed.

Assembly Bill No. 515—An Act to incorporate the Town of Fort Jones, Siskiyou County.

Amendments reported by the delegation adopted, bill read a third time and passed.

Assembly Bill No. 357—An Act amendatory of an Act entitled an Act for the more effectual prevention of cruelty to animals, approved March thirtieth, eighteen hundred and sixty-eight.

Read a third time and passed.

Assembly Bill No. 8—An Act to repeal an Act entitled an Act to prevent double taxation; also, to repeal an Act entitled an Act to relieve owners of encumbered real estate from taxation.

Laid on the table.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
March 9th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this ninth day of March, adopted Assembly Concurrent Resolution No. 27—Relative to requesting the Governor to return Assembly Bill No. 219—and ask the concurrence of the Senate therein.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Concurrent Resolution No. 27, above reported, Senate refuse to concur in its adoption.

GENERAL FILE RESUMED.

Senate resumed consideration of General File.

Senate Bill No. 346—An Act concerning the salary of the District Attorney of Lake County.

Rules suspended, bill considered engrossed, read a third time and passed.

REPORT.

By Mr. Hutchings:

Mr. PRESIDENT: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 305—An Act to authorize the Board of Supervisors of Tuolumne County to levy a special tax to pay certain bonds against said county.

Also, Senate Bill No. 144—An Act respecting the limitation of actions.

Also, Senate Bill No. 215—An Act to amend an Act entitled an Act concerning forcible entries and unlawful detainers, and to repeal all

other Acts on the same subject, approved April twenty-seventh, eighteen hundred and sixty-three.

Also, Senate Bill No. 235—An Act to amend an Act entitled an Act relating to criminal prosecutions, approved April second, eighteen hundred and sixty-six.

Also, Senate Bill No. 201—An Act to provide for the payment of certain coupons upon bonds of the State of California that have been lost.

Also, Senate Bill No. 315—An Act supplementary to an Act entitled an Act to define and establish the boundary line between the Counties of Inyo and Mono, approved March twenty-eighth, eighteen hundred and seventy.

Also, Senate Bill No. 80—An Act to fix the salary of the Superintendent of Common Schools in the County of Monterey.

And have presented the same to the Governor for his signature, at eleven o'clock and thirty minutes A. M.

HUTCHINGS.

Mr. PRESIDENT: Your Committee on Enrollment respectfully report that they have examined and find correctly enrolled Senate Bill No. 380—An Act to appropriate money for the contingent expenses of the Legislature.

And have presented the same to the Governor for signature, this ninth day of March, eighteen hundred and seventy-two, at twelve o'clock.

HUTCHINGS, Chairman.

GENERAL FILE RESUMED.

Senate Bill No. 270—An Act to amend an Act to prevent the destruction of fish in the waters of Napa Creek and Sonoma Creek.

Substitute reported by the Napa delegation adopted, bill considered engrossed, read a third time and passed.

Senate Bill No. 236—An Act to provide for a special road tax in Napa County.

Recommitted to the Napa delegation.

Senate Bill No. 122—An Act for the relief of Samuel Cross.

Withdrawn.

Senate Bill No. 312—An Act supplementary to and amendatory of an Act entitled an Act to incorporate the Town of Santa Cruz.

Recommitted to the Committee on Corporations.

Senate Bill No. 293—An Act to provide a Supreme Court room and appurtenants for the officers of the Supreme Court.

Referred to the Judiciary Committee.

Senate Bill No. 250—An Act to reincorporate the Town of Santa Rosa.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 338—An Act to amend an Act to provide for the management and sale of the lands belonging to the State.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 51—An Act to compensate J. G. Jenkins for legal services rendered the State during the years eighteen hundred and sixty-eight and eighteen hundred and seventy.

Recommitted to the Committee on Claims.

At twelve o'clock and forty minutes P. M., Mr. Maclay moved to adjourn.

Lost.

REPORT.

Mr. Keys verbally reported Assembly Bill No. 76, and recommended its reference to the Committee on Claims.

On motion of Mr. Keys, Assembly Bill No. 76, above reported, was referred to the Committee on Claims.

GENERAL FILE RESUMED.

Senate Bill 366—Proposed amendment to the Constitution.

Upon the passage of the bill, the roll was called with the following result:

AYES.—Messrs. Andross, Banvard, Beck, Betge, Comte, Crane, Duffy, Dyer, Farley, Finney, Fowler, Garratt, Goodale, Gwin, Irwin, Kent, Keys, Maclay, McCoy, McKusick, McMurry, Minis, O'Connor, Oulton, Pendegast, Perkins, Tompkins, Turner, Tuttle, Van Ness, Ward, Wilson, and Wing—33.

NOES—None.

REPORT.

Mr. McMurry verbally reported resolution for payment of services as architects for examination of work of State Normal School, and recommended that the author have leave to withdraw the same.

On motion of Mr. Minis the report was adopted, and Mr. Beck withdrew the resolution.

At twelve o'clock and fifty-five minutes P. M., Mr. Garratt moved to adjourn.

Lost.

GENERAL FILE RESUMED.

Senate Bill No. 254—An Act to amend an Act entitled an Act to provide for the formation of corporations for certain purposes.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 189—An Act to provide for a State Reformatory at San Quentin.

Ordered at top of file for Tuesday next.

Senate Bill No. 190—Proposed amendment to the Constitution.

Ordered second on file for Tuesday next.

Senate Bill No. 245—An Act in relation to gaming.

Ordered third on file for Tuesday next.

Senate Bill No. 179—An Act to authorize the Board of Supervisors of Yolo County to approve and certify certain claims against Swamp Land District Number Eighteen.

Withdrawn.

Senate Bill No. 297—An Act to authorize the payment of Mrs. Eliza McLean for supplies furnished Marine Hospital.

Passed on file.

Senate Bill No. 149—An Act for the relief of John B. Harmon.

Indefinitely postponed.

Senate Bill No. 266—An Act for the observance of the Sabbath.
Passed on file.
Senate Bill No. 302—An Act to regulate the practice of pharmacy in the City and County of San Francisco.
Amendments reported by the delegation adopted, rules suspended, bill considered engrossed, read a third time and passed.
At one o'clock and fifteen minutes P. M., on motion of Mr. Pendegast, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Monday, March 11th, 1872.

Senate met pursuant to adjournment.
President pro tem in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of Saturday read and approved.

LEAVE OF ABSENCE.

Mr. Minis was granted leave of absence for one day.

PETITION.

Mr. Comte presented a petition from the Ladies' Howard Benevolent Society.
Referred to the Finance Committee.

REPORTS.

Reports were made as follows:

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 365—An Act to restrict the hunting or shooting of game in the County of Yolo.

NEFF, for Committee.

By Mr. O'Connor:

Mr. PRESIDENT: The Committee on Mines and Mining Interests, to whom was referred Assembly Bill No. 72—An Act for the protection of miners—report the same back with amendments, and recommend the adoption of the amendments and the passage of the bill as amended.

O'CONNOR, Chairman.

By Mr. McMurry:

Mr. PRESIDENT: The Committee on Contingent Expenses having examined and found correct the following accounts, beg leave to report the same, and recommend the adoption of the accompanying resolution:

To whom due.	Amount.
F. S. Lardner, for rent of committee rooms	$270 00
Union Wood and Coal Yard, for coal	7 00
William O'Brien, for hauling mails one month	10 00
Geo. M. Parker, for keeping the clocks repaired and running	100 00

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrants on the Contingent Fund of the Senate as follows:

In favor of F. S. Lardner, for two hundred and seventy dollars.
In favor of Union Wood and Coal Yard, for seven dollars.
In favor of William O'Brien, for forty dollars.
In favor of George M. Parker, for one hundred dollars.

McMURRY.

By Mr. McMurry:

Mr. PRESIDENT: The Trinity delegation, to whom was referred Assembly Bill No. 502—An Act to provide for the construction and maintenance of free bridges in the County of Trinity—herewith report it back with the recommendation that it pass.

Also, have had under consideration Assembly Bill No. 503—An Act to authorize an additional levy of county taxes in the County of Trinity—and report it back with amendment, and recommend the passage of the bill as amended.

McMURRY,

Mr. Van Ness verbally reported Assembly Bill No. 439, with amendments, and recommended its passage as amended.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 9th, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 332—An Act supplementary to and amendatory of an Act entitled an Act to provide for the building of a Court House and Jail in Marin County, and to repeal certain Acts, approved January eighteenth, eighteen hundred and seventy-two.

Also, Senate Bill No. 10—An Act to legalize, ratify, and confirm deeds

of conveyance and grants of lands made by the municipal authorities of the City of San Diego.

NEWTON BOOTH, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 9th, 1872.

To the Senate of the State of California:

I herewith return to your honorable body, without my approval, Senate Bill No. 257—An Act to provide for the opening and improvement of Santa Clara and Sonoma Avenue, in the County of Santa Clara—in accordance with concurrent resolution in that effect, for the purpose of correcting a clerical error.

NEWTON BOOTH, Governor.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Duffy—An Act concerning the office of Secretary of the Fire Department of the City of Sacramento.

Read first and second times under suspension of the rules, [illegible] engrossed, read a third time and passed.

By Mr. Van Ness—An Act to amend an Act entitled an Act to incorporate the Town of San Luis Obispo, approved March ninth, eighteen hundred and seventy-two.

Read first and second times under suspension of the rules, [illegible] engrossed, read a third time and passed.

By Mr. Irwin—An Act to authorize the transfer of the Indian Fund of Siskiyou County to the School Fund of the county.

Read first and second times under suspension of the rules, [illegible] engrossed, read a third time and passed.

By Mr. Van Ness—An Act to amend an Act entitled an Act to authorize the Board of Supervisors of Santa Barbara County to build a Court House and Jail in said county, to issue bonds of said county for the construction thereof, and to provide for the payment of the same, approved February second, eighteen hundred and seventy-two.

Read first and second times under suspension of the rules, [illegible] engrossed, read a third time and passed.

By Mr. Irwin—An Act in relation to the State Printer.

Read first and second times and referred to the Finance Committee.

Also—An Act to define the duties and fix the compensation of the State Printer.

Read first and second times and referred to the Committee on Printing.

By Mr. Morley—An Act for the relief of the executors of the last will and testament of Jacob Shumway.

Read first and second times and referred to the Judiciary Committee.

By Mr. Evans—An Act to authorize the Board of Supervisors of San Joaquin County to appropriate money for the use of the San Joaquin Valley Agricultural Society.

Read first and second times and referred to the Committee on Agriculture.

By Mr. Turner—An Act amendatory of an Act entitled an Act in re

lation to the county officers of the County of Sierra, approved March twelfth, eighteen hundred and seventy

Read first and second times and ordered on file

Also, an Act concerning the office of Treasurer of Sierra County

Read first and second times and ordered on file

Also, an Act to repeal an Act concerning roads and highways in the County of Sierra, approved March twenty fifth, eighteen hundred and seventy

Read first and second times and ordered on file

By Mr Pendegast—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty one

Read first and second times and referred to the Judiciary Committee

By Mr Comte—An Act to provide for the payment of legal services rendered the State by Samuel Cross

Read first and second times and referred to the Committee on Claims.

RECONSIDERATION

Mr. Evans moved to reconsider the vote by which the Senate on Friday refused to pass Senate Bill No. 103.

Upon the motion to reconsider the ayes and noes were demanded by Messrs Evans Maclay, and McMurry and the Senate so ordered by the following vote:

Ayes—Messrs Andross, Beige, Comte, Evans Finney Garratt, Goodale, Hutchings, Kent, Larkin, Maclay, Oulton, Perkins, Tompkins, Van Ness, Ward, Wilson, and Wing—18

Noes—Messrs Banyard, Beck, Boucher, Crane, Dyer, Farley, Fowler, Gwin, Irwin, McKusick, McMurry, Neff, O'Connor, Turner, and Tuttle—15

Upon the passage of the bill, the ayes and noes were demanded by Messrs Oulton, Evans, and McMurry, and the bill was passed by the following vote:

Ayes—Messrs Andross, Beige, Comte, Duffy, Evans, Finney, Garratt, Goodale, Hutchings, Kent, Keys, Larkin, Maclay, Oulton, Pendegast, Tompkins, Ward, Wilson, and Wing—19

Noes—Messrs Banyard, Beck, Boucher, Crane, Dyer, Farley, Fowler, Gwin, Irwin, McKusick, McMurry, Neff, O'Connor, Perkins, Turner, and Tuttle—16.

GENERAL FILE.

Senate Bill No 242—An Act to create the office and define the duties of the State Board of Forest Commissioners, etc.

The bill was read a third time, and upon the passage of the bill the ayes and noes were demanded by Messrs. Fowler, Beige, and Larkin, and the bill was passed by the following vote:

Ayes—Messrs Andross, Beck, Beige, Comte, Duffy, Evans, Finney, Fowler, Garratt, Gwin, Irwin, Kent, Keys, Maclay, McCoy, McKusick, Neff, Oulton, Pendegast, Perkins, Tompkins, Tuttle, Ward, and Wing—24.

NOES—Messrs. Banvard, Boucher, Crane, Farley, Goodale, Larkin, McMurry, O'Connor, Turner, and Wilson—10.

NOTICE OF RECONSIDERATION.

Mr. Fowler gave notice that he would, on to-morrow, move to reconsider the vote by which the Senate passed Senate Bill No. 242.

GENERAL FILE RESUMED.

Assembly Bill No. 42—An Act to amend an Act entitled an Act to establish a quarantine for the Bay and Harbor of San Francisco.

Mr. Wand moved to indefinitely postpone the bill. Upon which the ayes and noes were demanded by Messrs. Oulton, Wand, and Garratt, and the Senate refused by the following vote:

AYES—Messrs. Beck, Conte, Farley, Fowler, Gwin, Hutchings, Irwin, Keys, Larkin, McCoy, McMurry, O'Connor, Pendegast, Tuttle, Wand, and Wilson—16.

NOES—Messrs. Andross, Banvard, Boucher, Crane, Duffy, Dyer, Evans, Finney, Garratt, Goodale, Mackay, McKusick, Neff, Oulton, Perkins, Tompkins, Turner, and Wing—18.

Mr. O'Connor moved to place the bill at the top of the file for to-morrow, upon which the ayes and noes were demanded by Messrs. O'Connor, Oulton, and Fowler, and the Senate refused by the following vote:

AYES—Messrs. Beck, Conte, Farley, Fowler, Gwin, Hutchings, Irwin, Keys, Larkin, McCoy, McMurry, O'Connor, Pendegast, Tuttle, Wand, and Wilson—16.

NOES—Messrs. Andross, Banvard, Boucher, Crane, Duffy, Dyer, Evans, Finney, Garratt, Goodale, Mackay, McKusick, Neff, Oulton, Perkins, Tompkins, Turner, and Wing—18.

Upon the passage of the bill the ayes and noes were demanded by Messrs. Wand, Oulton, and Fowler, and the Senate refused by the following vote:

AYES—Messrs. Andross, Boucher, Crane, Duffy, Dyer, Evans, Finney, Garratt, Goodale, Mackay, McKusick, Oulton, Perkins, Tompkins, Turner, and Wing—16.

NOES—Messrs. Banvard, Beck, Berge, Conte, Farley, Fowler, Gwin, Hutchings, Irwin, Keys, Larkin, McCoy, McMurry, O'Connor, Pendegast, Tuttle, Wand, and Wilson—18.

Assembly Bill No. 315—An Act defining the duties of the Assessor of Santa Clara County.

Passed to file.

Assembly Bill No. 316—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases.

Read a third time and passed.

[Mr. Oulton in the chair.]

Substitute for Assembly Bill No. 120—An Act to regulate the practice in the Supreme Court.

Amendments reported by the Judiciary Committee adopted, bill read a third time and passed.

Substitute for Assembly Bill No. 112—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice of this State.

Amendments reported by the Judiciary Committee adopted, bill read a third time and passed.

Assembly Bill No. 129—An Act to authorize the Board of Supervisors of Merced County to levy a special tax for the purpose of constructing a bridge across Merced River.

Read a third time and passed.

Assembly Bill No. 276—An Act supplementary to an Act creating the office of Insurance Commissioner.

Indefinitely postponed.

Assembly Bill No. 279—An Act to amend an Act entitled an Act concerning the Courts of justice of this State and judicial officers.

Report of the Judiciary Committee, recommending that the bill do not pass, was adopted.

Assembly Bill No. 402—An Act amendatory of an Act entitled an Act to provide for binding minors as apprentices, clerks, and servants, approved April tenth, A. D. eighteen hundred and fifty-eight.

Report of the Judiciary Committee, recommending that the bill do not pass, was adopted.

Assembly Bill No. 496—An Act to repeal section two of an Act amendatory of and supplementary to an Act to prevent certain animals from running at large in Napa City.

Passed on file.

Assembly Bill No. 265—An Act authorizing the District Courts of this State to appoint assistant counsel in the prosecution of criminal cases.

Report of the Judiciary Committee, recommending that the bill do not pass, was adopted.

Assembly Bill No. 418—An Act to legalize and confirm the election of school officers in the City of Vallejo.

Passed on file.

Assembly Bill No. 465—An Act to authorize the Masonic and Odd Fellows' Cemetery Association and the citizens of Contra Costa County to remove human remains.

Read a third time and passed.

Assembly Joint Resolution No. 26—Relative to the culture of the grapevine.

Read a third time and adopted.

Senate Bill No. 342—An Act appropriating fifty-six thousand dollars in United States legal tender notes for the payment of the necessary incidental expenses of the State Capitol and Governor's Mansion.

Considered in Committee of the Whole and amended.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the Senate, rules suspended, bill considered engrossed, read a third time and passed.

GENERAL FILE RESUMED.

Senate Bill No. 343—An Act to authorize the issuance of bonds to the amount of two hundred and fifty thousand dollars, to be known as the State Capitol bonds of eighteen hundred and seventy two.

Rules suspended, bill considered engrossed, read a third time and passed.

At five o'clock and thirty minutes P. M., on motion of Mr. Beige, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Tuesday, March 12th, 1872.

Senate met pursuant to adjournment.
President pro tem in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

REPORTS.

Reports were made as follows:

By Mr. Wilson:

Mr. PRESIDENT: Your Committee on Agriculture, to whom was referred Senate Bill No. 348—An Act to establish meteorological stations in the various counties of this State—having duly considered the same, beg leave to report that, while confident of the advantage to arise from full and complete meteorological statistics and tables, yet they doubt whether, under the provisions of this bill, with the mere nominal compensation provided for, such desired result would be any more completely attained than at present through the voluntary and gratuitous services of private scientific gentlemen throughout the State. Your committee, therefore, report said bill back and recommend that it be considered in Committee of the Whole.

WILSON, Chairman.

By Mr. Beck:

Mr. PRESIDENT: Your Committee on Public Buildings, to whom was referred Assembly Bill No. 434—An Act to provide for finishing the State Normal School building and paying the indebtedness in the construction thereof—report the bill back with amendments, and recommend its passage as amended.

BECK, for Committee.

By Mr. Comte:

Mr. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 282—An Act to allow certain persons therein named, and their associates and assigns, to take possession of and improve a certain road in the County of Sacramento.

Also, Senate Bill No. 328—An Act to provide for the establishment of a public highway and ferry on the San Joaquin River, in the County of Stanislaus.

Respectfully report that they have had the same under consideration and recommend their passage.

They have also had under consideration Senate Bill No. 362—An Act to establish and protect public trails and footways in this State—and recommend its reference to the Committee on Judiciary.

They have also had under consideration Assembly Bill No. 458—An Act amending laws concerning highways in the County of Santa Clara—and recommend its reference to the Santa Clara delegation.

COMTE, for Committee.

Assembly Bill No. 458, above reported, was referred to the Santa Clara delegation.

Assembly Bill No. 362, above reported, was referred to the Judiciary Committee.

By Mr. Beck:

Mr. PRESIDENT: Your Committee on Public Buildings, to whom was referred Senate Bill No. 157, with special instructions, report a substitute for the same and recommend its passage.

BECK, for Committee.

Mr. Perkins verbally reported Assembly Bill No. 538, with amendments, and recommended its passage as amended.

Mr. Larkin verbally reported Assembly Bill No. 183, without recommendation.

By Mr. O'Connor:

Mr. PRESIDENT: The Nevada delegation, to whom was referred Assembly Bill No. 440—An Act to provide for the location, construction, and maintenance of public roads in the County of Nevada—would report the same back and recommend its passage.

KENT,
O'CONNOR.

By Mr. Comte:

Mr. PRESIDENT: The Sacramento delegation, to whom was referred Assembly Bill No. 191—An Act to provide for the protection of the City of Sacramento and Swamp Land District Number Two—report that they have had the same under consideration, and report the same back, with proposed amendments, and recommend the adoption of the amendments and the passage of the bill as amended.

COMTE,
DUFFY,
Delegation.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 9th, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 380—An Act to appropriate money for the contingent expenses of the Legislature.

Also, Senate Bill No. 324—An Act to enable the City of Stockton to redeem its bonds falling due during the year eighteen hundred and seventy-three.

NEWTON BOOTH, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 12th, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 363—An Act to establish a Code of Civil Procedure.

Also, Senate Bill No. 305—An Act authorizing the Board of Supervisors of Tuolumne County to levy a special tax to pay certain bonds against said county.

Also, Senate Bill No. 144—An Act respecting the limitation of actions.

Also, Senate Bill No. 235—An Act to amend an Act entitled an Act relating to criminal prosecutions, approved April second, eighteen hundred and sixty-six.

Also, Senate Bill No. 215—An Act to amend an Act entitled an Act concerning forcible entries and unlawful detainers, and to repeal all other Acts on the same subject, approved April twenty-seventh, eighteen hundred and sixty-three.

Also, Senate Bill No. 201—An Act to provide for the payment of certain coupons upon bonds of the State of California that have been lost.

Also, Senate Bill No. 315—An Act supplementary to an Act entitled an Act to define and establish the boundary line between the Counties of Inyo and Mono, approved March twenty eighth, eighteen hundred and seventy.

Also, Senate Bill No. 80—An Act to fix the salary of the Superintendent of Common Schools in the County of Monterey.

Also, Senate Bill No. 263—An Act to provide for the erection of a school house in Modesto School District, in the County of Stanislaus.

Also, Senate Bill No. 160—An Act to pay the expenses necessarily incurred in suppressing Indian hostilities in the Counties of Humboldt and Trinity in the years eighteen hundred and sixty eight and eighteen hundred and sixty-nine.

NEWTON BOOTH, Governor.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
March 11th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the sixth instant, passed the following Assembly bills:

Substitute for Assembly Bills Nos. 213 and 284—An Act to protect agriculture and to prevent the trespassing of animals upon private property.

Assembly Bill No. 426—An Act in relation to the residence of the Judges of the Supreme Court.

Assembly Bill No. 168—An Act to provide funds for the School Department of the City of Oakland.

Assembly Bill No. 487—An Act to provide for the payment of deficiency in the office of Superintendent of Public Instruction.

Assembly Bill No. 509—An Act supplementary to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one.

Assembly Bill No. 525—An Act to change the name of Dunbar School District, Sonoma County.

Assembly Bill No. 385—An Act to authorize the Board of State Harbor Commissioners to set apart a portion of the water front of the City and County of San Francisco.

Also, Assembly Bill No. 389—An Act to prohibit the carrying of concealed weapons.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 11th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the ninth day of March, passed Assembly Bill No. 391—An Act to regulate and define fees in the Sheriff's office in the County of Mendocino.

Also, passed on the same day, Assembly Bill No. 400—An Act to enforce the responsibility of stockholders in corporations as prescribed by the Constitution, and to provide for the prompt payment of demands against such corporations.

Also, passed on the same day, Assembly Bill No. 398—An Act to amend an Act entitled an Act to amend an Act entitled an Act to fix the compensation of the District Attorney of the County of Contra Costa, approved February ninth, eighteen hundred and sixty, approved March thirty-first, eighteen hundred and sixty-six.

Also, passed on the same day, Senate Bill No. 52—An Act to punish adultery.

Also, passed on the same day, Senate Joint Resolution No. 5—Requesting Congress not to allow reduction of duty on chiccory flour.

Also, passed on the same day, Senate Bill No. 309—An Act to provide for the payment of the deficiency in the State Prison appropriation for the twenty-third fiscal year, ending June thirtieth, eighteen hundred and seventy-two.

Also, passed on the same day, Senate Bill No. 217—An Act to amend an Act entitled an Act to provide for the funding of the indebtedness of the County of San Luis Obispo.

Also, passed on the same day, Senate Bill No. 339—An Act authorizing the transcribing of certain records in the County of San Luis Obispo.

Also, passed on the same day, Senate Bill No. 345—An Act to fix the salary of the members of the Board of Supervisors of Trinity County.

Also, passed on the same day, Senate Bill No. 360—An Act to amend an Act entitled an Act to incorporate the Town of Brooklyn, and to define and establish the boundary line between said town and the City of Oakland, approved April fourth, eighteen hundred and seventy.

Also, passed on the same day, Senate Bill No. 279—An Act to amend an Act entitled an Act to fix the compensation of officers, to provide for funding the floating debt of the County of Santa Barbara, and prohibit the contracting of any new indebtedness against said county, approved April fourth, eighteen hundred and sixty-four.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 11th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the ninth day of March, passed Senate Bill No. 349—An Act concerning a certain road in the County of Sierra.

Also, on the same day, passed Senate Bill No. 207—An Act to amend an Act entitled an Act to abolish the office of Public Administrator in the Counties of Tuolumne and Santa Barbara, approved April fifteenth, eighteen hundred and fifty-nine.

Also, on the same day, passed, under a suspension of the rules, Assembly Bill No. 566—An Act for the redemption of the funded indebtedness of the City of Sacramento—and the same was ordered transmitted to the Senate without engrossment.

Also, passed on March eighth, Assembly Bill No. 387—An Act to enable the Board of Supervisors of Sacramento County to refund certain moneys.

BORUCK, Chief Clerk.

ASSEMBLY CHAMBER,
March 11th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the seventh day of March, passed the following bills:

Assembly Bill No. 542—An Act authorizing the Board of Supervisors of Mariposa County to pay a certain claim.

Assembly Bill No. 529—An Act amendatory of an Act entitled an Act to organize and regulate the Justices' Court of the City and County of San Francisco, approved March twenty-sixth, eighteen hundred and sixty-six.

Assembly Bill No. 513—An Act to authorize the Mayor of the City and County of San Francisco to convey certain lands to the San Francisco Lying-in Hospital and Foundling Asylum.

Assembly Bill No. 498—An Act concerning the appointment of an Interpreter in and for the City and County of San Francisco.

Assembly Bill No. 545—An Act to amend an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties of this State and to provide for a bounty for the same, approved March sixteenth, eighteen hundred and seventy.

Assembly Bill No. 376—An Act entitled an Act appropriating funds to enlarge the Home for the Care of the Inebriate, located in the City and County of San Francisco.

Assembly Bill No. 453—An Act granting certain privileges to the North Beach and Mission Railroad Company.

Assembly Bill No. 459—An Act to transfer to the Board of Supervisors of the City and County of San Francisco the management, control, and direction of the affairs of the Industrial School Department of said city and county.

Assembly Bill No. 443—An Act to remedy duplicate payments of taxes in the City and County of San Francisco.

Assembly Bill No. 384—An Act to confirm Order Number One Thousand and Four, passed by the Board of Supervisors of the City and County of San Francisco.

Assembly Bill No. 518—An Act concerning roads and highways in the County of Fresno, and to repeal a certain Act in relation thereto.

Assembly Bill No. 543—An Act fixing the salaries of certain county officers of the County of Alameda and providing means for the payment thereof.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 566, above reported, read first and second times and referred to the Sacramento delegation.

Assembly Bill No. 387, above reported, read first and second times and referred to the Judiciary Committee.

Substitute for Assembly Bills Nos. 213 and 284, above reported, read first and second times and referred to the Committee on Agriculture.

Assembly Bill No. 426, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 468, above reported, read first and second times, rules suspended, bill read a third time and passed.

Assembly Bill No. 487, above reported, read first and second times and referred to the Finance Committee.

Assembly Bill No. 509, above reported, read first and second times and referred to Judiciary Committee.

Assembly Bill No. 525, above reported, read first and second times and referred to the Sonoma delegation.

Assembly Bill No. 385, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 389, above reported, read first and second times and referred to the Committee on Public Morals.

Assembly Bill No. 542, above reported, read first and second times and referred to the Mariposa delegation.

Assembly Bill No. 529, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 513, above reported, read first and second times and referred to the San Francisco delegation.

Substitute for Assembly Bill No. 498, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 545, above reported, read first and second times and referred to the Committee on Agriculture.

Assembly Bill No. 376, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 453, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 459, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 443, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 384, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 518, above reported, read first and second times and referred to the Fresno delegation.

Assembly Bill No. 543, above reported, read first and second times and referred to the Alameda delegation.

Assembly Bill No. 398, above reported, read first and second times and referred to the Contra Costa delegation.

Assembly Bill No. 391, above reported, read first and second times and referred to the Mendocino delegation.

Assembly Bill No. 400, above reported, read first and second times and referred to the Committee on Corporations.

Mr. Keys moved to discharge the order by which substitute for Assembly Bills Nos. 213 and 284 was referred to the Committee on Agriculture.

Upon which the ayes and noes were demanded by Messrs. Keys, Fowler, and Tuttle, and the Senate refused by the following vote:

Ayes—Messrs. Andross, Boggs, Evans, Finney, Garratt, Keys, Maclay, Minis, Oulton, Pendegast, Tompkins, Van Ness, and Wing—13.

Noes—Messrs. Banvard, Beck, Boucher, Comte, Crane, De Haven, Duffy, Farley, Fowler, Goodale, Gwin, Hutchings, Irwin, Larkin, McKusick, McMurry, Neff, O'Connor, Perkins, Turner, Tuttle, Wand, and Wilson—23.

REPORT.

By Mr. Hutchings:

Mr. President: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 206—An Act to amend an Act entitled an Act to define and limit the compensation of officers and reduce public expenses and taxation in the County of San Mateo, approved February sixth, eighteen hundred and sixty-four.

Also, Senate Bill No. 317—An Act to amend an Act entitled an Act to incorporate the City of Gilroy, approved March twelfth, eighteen hundred and seventy.

Also, Senate Bill No. 351—An Act supplementary to an Act entitled an Act to authorize the Board of Supervisors of Mendocino County to issue bonds of said county and apply the same to the construction of wagon roads in said county, approved February twentieth, eighteen hundred and seventy-two.

Also, Senate Bill No. 316—An Act to authorize the issue of bonds by the County of Inyo to erect county bridges and buildings.

Also, Senate Bill No. 271—An Act concerning roads in the County of Butte.

Also, Senate Bill No. 341—An Act to regulate the fees of the Sheriff of the County of Santa Cruz.

Also, Senate Bill No. 226—An Act to continue the Geological Survey of the State of California.

And have presented the same to the Governor for his signature, at ten o'clock and forty minutes A. M.

HUTCHINGS.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Wilson—An Act to amend an Act entitled an Act to incorporate the Town of Wilmington, in the County of Los Angeles, in the State of California, approved February twentieth, eighteen hundred and seventy-two.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

Also, an Act to authorize the Board of Supervisors of Los Angeles County to locate and build bridges across the Los Angeles River and the New San Gabriel and Old San Gabriel Rivers, in Los Angeles County, and to issue bonds for the payment of the same.

Read first and second times and referred to the Committee on Roads and Highways.

By Mr. Irwin—An Act to put into immediate effect certain parts of the Political and Penal Codes.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed, and ordered to be transmitted to the Assembly without engrossment.

By Mr. Dyer—An Act supplementary to an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Read first and second times and ordered on file.

By Mr. Wing—An Act to appropriate money and to provide for the payment of certain equitable claims against the State.

Read first and second times and referred to the Finance Committee.

REPORTS.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 368—An Act to amend an Act to provide for the management and sale of lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, Senate Bill No. 336—Proposed amendment to the Constitution of the State of California.

Also, Senate Bill No. 346—An Act concerning the salary of the District Attorney of Lake County.

Also, Senate Bill No. 270—An Act to amend an Act to prevent the destruction of fish in the waters of Napa River and Sonoma Creek.

Also, Senate Bill No. 254—An Act to amend an Act entitled an Act to provide for the formation of corporations for certain purposes, approved April fourteenth, eighteen hundred and fifty-three.

Also, Senate Bill No. 256—An Act to reincorporate the Town of Santa Rosa.

TUTTLE, for Committee.

By Mr. Pendegast:

Mr. PRESIDENT: The Committee on Judiciary have had under consideration Assembly Bill No. 541—An Act to amend section thirteen of an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and fifty-nine—and report the same back with a substitute therefor, and recommend the adoption and the passage of the substitute.

PENDEGAST, for Committee.

On motion of Mr. Pendegast, the rules were suspended for the consideration of Assembly Bill No. 541, above reported.

Substitute reported by the Judiciary Committee adopted, bill read a third time and passed.

SPECIAL ORDER.

Senate Bill No. 237—An Act to inaugurate the production of iron and steel in California.

Upon the adoption of the report of the Finance Committee, recommending that the bill do not pass, the ayes and noes were demanded by Messrs. Neff, Minis, and Larkin, and the Senate so ordered by the following vote:

AYES—Messrs. Beck, Boucher, Comte, Evans, Goodale, Hutchings, Irwin, Larkin, McMurry, Minis, O'Connor, Oulton, Tompkins, Tuttle, and Wand—15.

NOES—Messrs. Andross, Banvard, Betge, Dyer, Farley, Finney, Fowler, Garratt, Maclay, Neff, Perkins, Turner, Van Ness, and Wing—14.

GENERAL FILE.

Senate Bill No. 189—An Act to provide for a State Reformatory at San Quentin.

Amendments reported by the Committee on State Prison adopted, rules suspended, bill considered engrossed, read a third time and passed.

[Mr. Pendegast in the chair.]

Senate Bill No. 190—Proposed amendment to the Constitution.

Recommitted to the Judiciary Committee.

Senate Bill No. 245—An Act in relation to gaming.

Mr. Oulton moved to indefinitely postpone the bill. Upon which the ayes and noes were demanded by Messrs. Evans, Minis, and Oulton, and the Senate so ordered by the following vote:

AYES—Messrs. Banvard, Beck, Betge, Crane, Duffy, Dyer, Evans, Farley, Finney, Garratt, Goodale, Irwin, Keys, Larkin, Maclay, McKusick, Neff, O'Connor, Oulton, Pendegast, Perkins, Tompkins, Turner, Tuttle, and Van Ness—25.

NOES—Messrs. Andross, Boggs, Boucher, Comte, Gwin, Hutchings, McCoy, Minis, Wand, Wilson, and Wing—11.

SPECIAL ORDER.

Senate Bill No. 361—An Act to provide a system of common schools.

Pending the consideration of the bill, the Senate, at one o'clock, took a recess for one hour.

REASSEMBLED.

Senate reassembled at two o'clock P. M.

President pro tem in the chair.

Roll called.

Quorum present.

INTRODUCTION OF BILLS.

Mr. Fowler had leave to introduce the following bill:

An Act authorizing certain persons to improve a portion of King's River, and to erect booms thereon.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

Mr. Mackay had leave to introduce the following bill:

An Act to provide for the opening and improving of Santa Clara and Saratoga Avenue, in the County of Santa Clara.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

REPORTS.

By Mr. Comte:

Mr. PRESIDENT: The Committee on Roads and Highways, to whom was referred Senate Bill No. 400—An Act to authorize the Board of Supervisors of Los Angeles County to locate and build bridges across the Los Angeles River and the New San Gabriel and Old San Gabriel Rivers, in Los Angeles County, and to issue bonds for the payment of the same—report that they have had the same under consideration, and recommend its passage.

COMTE,
BECK,
BOUCHER,
MINIS.

On motion of Mr. Comte, the rules were suspended for the consideration of Senate Bill No. 400, above reported.

The rules were further suspended, bill considered engrossed, read a third time and passed.

Mr. Pendegast verbally reported Senate Bill No. 69, without recommendation, and the Senate refused to concur in the amendments reported by the Assembly.

SPECIAL ORDER.

Consideration of Governor's message vetoing Senate Bill No. 166.

Upon the question, "Shall the bill become a law notwithstanding the objections of the Governor?" the roll was called, with the following result:

AYES—None.

NOES—Messrs. Banvard, Beck, Betge, Boggs, Boucher, Crane, Duffy,

Dyer, Evans, Farley, Finney, Fowler, Garratt, Goodale, Hutchings, Larkin, McCoy, McKusick, McMurry, Minis, Neff, O'Connor, Pendegast, Tompkins, Turner, Tuttle, Van Ness, Wand, Wilson, and Wing—30.

Senate resumed consideration of Senate Bill No. 361—An Act to provide a system of common schools.

The bill was considered in Committee of the Whole to and including section one hundred and twenty-six, and amended, and on motion of Mr. Larkin, the consideration of the bill was temporarily postponed and ordered at the top of the file each day until disposed of.

IN SENATE.

Pursuant to notice, Mr. Fowler moved to reconsider the vote by which the Senate on yesterday passed Senate Bill No. 242.

Mr. Fowler moved to make the motion to reconsider the special order for Wednesday, March twentieth, at two o'clock P. M.

Upon which the ayes and noes were demanded by Messrs. Betge, Evans, and Maclay, and the Senate refused by the following vote:

AYES—Messrs. Boggs, Crane, Farley, Fowler, Goodale, Larkin, Minis, O'Connor, Van Ness, and Wilson—10.

NOES—Messrs. Beck, Betge, Boucher, Comte, Duffy, Dyer, Evans, Garratt, Hutchings, Irwin, Keys, Maclay, McCoy, McKusick, McMurry, Neff, Oulton, Pendegast, Perkins, Tompkins, Turner, Wand, and Wing—23.

Mr. Betge moved to indefinitely postpone the motion to reconsider.

Upon which the ayes and noes were demanded by Messrs. Betge, Evans, and Duffy, and the Senate so ordered by the following vote:

AYES—Messrs. Beck, Betge, Comte, Duffy, Dyer, Evans, Garratt, Gwin, Hutchings, Irwin, Keys, Maclay, McCoy, McKusick, McMurry, Oulton, Pendegast, Perkins, Tompkins, Turner, Van Ness, Wand, and Wing—23.

NOES—Messrs. Banvard, Boucher, Crane, Farley, Fowler, Goodale, Larkin, Minis, Neff, O'Connor, and Wilson—11.

GENERAL FILE RESUMED.

On motion of Mr. Evans, Senate Bill No. 344—An Act to provide further accommodation for the insane of the State of California, and to provide a special Fund therefor—was made the special order for to-morrow, at eleven o'clock A. M.

Assembly Bill No. 418—An Act to legalize and confirm the election of school officers in the City of Vallejo.

Referred to the Judiciary Committee.

Assembly Bill No. 315—An Act defining the duties of the Assessor of Santa Clara County.

Temporarily laid on the table.

Assembly Bill No. 496—An Act to repeal section two of an Act amendatory of and supplementary to an Act to prevent certain animals from running at large in Napa County.

Read a third time and passed.

Assembly Bill No. 439—An Act to authorize the Trustees of San

Buenaventura School District to issue bonds for the said district for the sum of ten thousand dollars.

Amendments reported by the Santa Barbara delegation adopted, bill read a third time and passed.

Assembly Bill No. 72—An Act for the protection of miners.

Amendments reported by the Committee on Mines and Mining Interests adopted, bill read a third time, and passed.

NOTICE OF RECONSIDERATION.

Mr. Maclay gave notice that he would to-morrow move to reconsider the vote by which the Senate on this day refused to pass Senate Bill No. 245.

GENERAL FILE RESUMED.

Assembly Bill No. 502—An Act to provide for the construction and maintenance of free bridges in the County of Trinity.

Read a third time and passed.

Assembly Bill No. 503—An Act to authorize an additional levy of county taxes in the County of Trinity.

Amendments reported by the Trinity delegation adopted, bill read a third time and passed.

Senate Concurrent Resolution No. 43—Relative to payment of James Woolworth and Len Harris.

Adopted.

Senate Bill No. 334—An Act to improve the quality of fish in Clear Lake.

Passed on file.

Senate Bill No. 374—An Act supplementary to an Act for the enlowment of the University of California.

Substitute reported by the Committee on Education adopted, rules suspended, bill considered engrossed, read a third time and passed.

On motion of Mr. Finney, the President appointed the following committee of conference on the disagreeing vote of the two Houses on Senate Bill No. 220: Messrs. Finney, Beck, and Goodale.

At five o'clock and ten minutes P. M., on motion of Mr. Pendegast, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Wednesday, March 13th, 1872.

Senate met pursuant to adjournment.
President pro tem in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

COMMUNICATION.

The President presented the following communication:

SACRAMENTO, March 12th, 1872.

Mr. PRESIDENT: I hereby resign my position as Page of the Senate.

Respectfully yours, WILLIE ORMSBY.

RESOLUTION.

By Mr. Oulton:

Resolved, That the Sergeant at Arms is hereby authorized to certify to pay account of Willie Ormsby, as Page of the Senate, up to and including Saturday, the sixteenth instant.

Adopted.

REPORTS.

Reports were made as follows:

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 342—An Act appropriating fifty-six thousand dollars in United States legal tender notes for the payment of the necessary incidental expenses of the State Capitol and Governor's Mansion.

Also, Senate Bill No. 389—An Act to amend an Act entitled an Act to authorize the Board of Supervisors of Santa Barbara County to build a Court House and Jail in said county, to issue bonds of said county for the construction thereof, and to provide for the payment of the same, approved February second, eighteen hundred and seventy two.

Also, Senate Bill No. 399—An Act to amend an Act entitled an Act to incorporate the Town of Wilmington, in the County of Los Angeles, in the State of California, approved February twentieth, eighteen hundred and seventy-two.

TUTTLE, for Committee.

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 405—An Act to provide for the opening and improving of Santa Clara Avenue, in the County of Santa Clara.

NEFF, for Committee.

By Mr. Perkins:

Mr. PRESIDENT: The Committee on Claims, to whom was referred Assembly Bill No. 334—An Act for the relief of Henry N. Morse, Sheriff of Alameda County—have had the same under consideration, and respectfully report the bill back without recommendation.

Also, Assembly Bill No. 113—An Act for the relief of D. B. Akey—and report the same back, with the recommendation that it do not pass,

as the relief sought can be obtained through the Adjutant General's office under an Act for the relief of the line officers of the California volunteers in the service of the United States, approved April fourth, eighteen hundred and sixty-four.

The committee have also had under consideration Assembly Bill No. 367—An Act to pay the claim of James T. Boyd—and report the same back and recommend its passage.

Also, Assembly Bill No. 417—An Act for the relief of Morris Woolf—and respectfully report the same back, with the recommendation that it pass.

PERKINS, Chairman.

By Mr. Wilson:

Mr. President: Your Committee on Agriculture, to whom was referred Senate Bill No. 393—An Act to authorize the Board of Supervisors of San Joaquin County to appropriate money for the use of the San Joaquin Valley Agricultural Society—having considered the same, report it back and recommend its passage.

Also, Assembly Bill No. 369—An Act to encourage the destruction of squirrels and gophers—report the same back, and recommend its passage.

Also, Assembly Bill No. 374—An Act to prevent hunting, shooting, and the felling of trees on private grounds in the Counties of Santa Barbara and San Luis Obispo. Your committee report that inasmuch as the object desired by the bill has already been attained by a bill passed at the present session by both Houses, and applying to the two counties named in this bill, your committee recommend that the bill do not pass.

Also, substitute for Assembly Bill No. 269—An Act to amend an Act entitled an Act to authorize the incorporation of canal companies and to provide for the construction of canals and ditches, approved April second, eighteen hundred and seventy. Your committee report that, inasmuch as this bill is local in its application, they recommend its reference to the delegation from the several counties specially named in its operation.

Also, Assembly Bill No. 557—An Act concerning estrays in the County of Butte. Your committee find that the bill is voluminous and cumbersome in its provisions, covering ground already provided for on the statute books, and while its passage might be advantageous in protecting the interests of a few, yet the majority of the committee deem that its passage will work to the injury of a large majority of the settlers in said county, and therefore report it back, with a recommendation that it do not pass.

WILSON, Chairman.

On motion of Mr. Wilson, Assembly Bill No. 269, above reported, was referred to the delegations interested in the bill, as to the counties therein named.

By Mr. Tompkins:

Mr. President: The Committee on Judiciary have had under consideration Assembly substitute for Assembly Bill No. 415—An Act supplementary to an Act entitled an Act concerning crimes and punish-

ments, passed April sixteenth, eighteen hundred and fifty—and report the same back and recommend the passage of the bill.

Also, Senate Bill No. 304—An Act to amend an Act entitled an Act to prevent extortion in office and to enforce official duty, approved March fourteenth, eighteen hundred and fifty-three.

Also, Senate Bill No. 307—An Act to amend an Act amendatory of and supplementary to an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, approved April nineteenth, eighteen hundred and fifty-six.

Also, Senate Bill No. 357—An Act to amend an Act entitled an Act concerning roads in the Counties of Santa Barbara and San Luis Obispo, approved February twenty first, eighteen hundred and seventy two.

And report the same back with amendments to each bill, and recommend the adoption of the amendments and the passage of the several bills as amended.

Also, have had under consideration Assembly substitute for Assembly Bill No. 84—An Act to provide for the appointment of Commissioners to recommend amendments to the Constitution.

Also, Assembly Bill No. 125—An Act in relation to life insurance.

Also, Assembly Bill No. 126—An Act in relation to the residence of the Judges of the Supreme Court.

Also, Assembly Bill No. 147—An Act in relation to mortgages upon growing crops.

Also, Assembly substitute for Assembly Bill No. 189—An Act supplemental to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty one.

Also, Senate Bill No. 384—An Act to add another section to the Penal Code.

And report the same back and recommend that they do not pass.

Also, have had under consideration Assembly Bill No. 446—An Act to provide for the division of Yolo County into assessment districts, for the election of District Assessors, and to define their duties, liabilities, and compensation. The committee entertain serious doubts as to the constitutionality of this bill, and therefore report the same back and recommend that it do not pass.

TOMPKINS, Chairman.

By Mr. Fowler:

Mr. PRESIDENT: Your Committee on Public Lands, to whom was referred Assembly Joint Resolution No. 19—Relative to extending the time of payment for public lands—have considered the same and beg leave to report, recommending that the Senate concur in the resolution.

Your committee have also considered Assembly Joint Resolution No. 27—Asking Congress to reserve public lands in California for actual settlers only, under the homestead and preemption laws, and for a more rapid extension of the surveys of public lands in this State—and report the same back and recommend the concurrence of the Senate in the resolution.

FOWLER, Chairman.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 386—An Act to amend an Act entitled an Act to reincorporate the Town of San Luis Obispo, approved March fourth, eighteen hundred and seventy-two.

Also, Senate Bill No. 189—An Act to provide for a State Reformatory at San Quentin.

Also, Senate Bill No. 343—An Act to authorize the issuance of State bonds to the amount of two hundred and fifty thousand dollars, to be known as "State Capitol bonds of eighteen hundred and seventy-two."

Also, Senate Bill No. 388—An Act to authorize the transfer of the Indian Fund of Siskiyou County to the School Fund of the county.

Also, Senate Bill No. 387—An Act concerning the office of Secretary of the Fire Department of the City of Sacramento.

TUTTLE, for Committee.

By Mr. Pendegast:

Mr. PRESIDENT: The Committee on Counties and County Boundaries have had under consideration Assembly Bill No. 362—An Act to submit to the qualified electors of Alpine County the question of relocating the county seat of said county—and report the same back to the Senate and recommend the passage thereof.

Also, have had under consideration Assembly Bill No. 354—An Act to submit the question of the county seat of Kern County to the qualified voters thereof—and now report the same back to the Senate. The only object of the proposed Act is to submit to the voters of Kern County a proposition to remove the county seat of Kern County from its present site, at the Town of Havilah, to the Town of Bakersfield, the vote to be taken on the day of the next Presidential election, and under the management of the officers thereof.

The passage of this bill is urged by a petition signed by nine hundred and sixty professed residents of the county, and is opposed by a remonstrance containing three hundred and eighty-two names. It seems that the remonstrance was circulated first, it being assumed by the friends of the present site that this legislation would be sought. Of the names on the remonstrance over one hundred also appear on the petition, and it is claimed by the friends of the bill that their names were signed to the remonstrance under a misrepresentation of the facts. This claim is supported by the affidavits of the signers themselves.

Havilah, the present site, is a mining town, which was, at the time of the organization of the county, a thriving and populous place. In eighteen hundred and sixty-six the vote of Havilah was three hundred and fifty seven and that of Bakersfield seventeen. At the last election the vote of Havilah was eighty-nine and that of Bakersfield one hundred and twenty.

There are no other points in the county aspiring for county seat honors.

The committee are of the opinion that a fairer expression of the views of the people can be had at a general election than at a special one called for the purpose.

After a patient hearing from all sides, and a careful examination of the maps and other documents submitted, a majority of the committee think it best that the bill should pass, and respectfully make that recommendation.

PENDEGAST, Chairman.

By Mr. Boucher:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 404—An Act authorizing cer-

tain parties to improve a portion of King's River, and to erect booms thereon.

Also, Senate Bill No. 302—An Act to regulate the practice of pharmacy in the City and County of San Francisco.

BOUCHER, for Committee.

By Mr. McMurry:

Mr. PRESIDENT: Your Committee on Contingent Expenses having examined and found correct the following accounts, herewith report the same, and recommend the adoption of the accompanying resolution:

Name.	For what purpose.	Amount.
William S. Moss	Examiner	$123 50
The Guardian	Paper	1 25
Joseph Walkup	Placer Herald	30 00
James Anthony & Co	Sacramento Union	73 33
P. Anderson	Pacific Appeal	10 00
Monterey Democrat	Paper	4 00
B. F. Davis	El Dorado County Republican	4 50
The Contra Costa Gazette	Paper	18 00
Lyons & Barry	Monitor	63 00
J. J. Owen	Mercury	5 00
Max Cohnheim	San Jose Chronicle	2 50
Bernard Dennery	Merchandise	2 50
News Letter	Paper	45 50
Kooser & McPherson	Santa Cruz Sentinel	6 00
Charles B. Higby	Calaveras Chronicle	5 00
Thompson & Linthicum	Solano Democrat	36 00
Briggs & Springer	Amador Weekly Ledger	3 00
H. C. Patrick	San Joaquin Republican	44 62½
Charles H. Randall	Union Democrat	7 50
W. E. Ward	Plumas National	3 00
Fresno Expositor	Paper	10 00
Thomas L. Thompson	Sonoma Democrat	45 00
Ireland & Multner	Merchandise	2 50
W. M. Penry	Amador Dispatch	15 00
McPherson & Bros	San Mateo Gazette	15 00
Oakland Daily News	Paper	50 00
John H. Carmany & Co	Paper	4 00
J. A. Vaughn & Co	Paper	6 00
Solano Republican	Paper	3 00
F. Fisher	Mendocino County Press	18 00
A. E. Wagstaff	Yolo Mail	5 00
J. E. Wyman	Weekly Humboldt Times	9 00
Frederick Hess & Co	Daily California Demokrat	5 00
Hopkins & Francis	Napa Register	4 00
Weston & Scudder	Journal and Argus	12 50
William Saunders	Yolo Democrat	24 00
Los Angeles Star	Paper	1 50
Robert Nixon	Yreka Journal	15 00
Dewey & Co	Pacific Rural Press	48 00

Name.	For what purpose.	Amount.
Frink & Hayden	Grass Valley Republican	12 00
A. Townsend	Sentinel	6 00
J. C. Patridge	Sage Brush	3 00
Montgomery & Menefee	Napa County Reporter	4 00
W. S. Carter	Shasta Courier	3 00
John G. & S. S. Howell	Russian River Flag	15 00
Appeal Association	Paper	9 00
Stockton Independent	Paper	44 00

Resolved, That the Controller of State be and he is hereby authorized and directed to draw his warrant on the Fund appropriated for contingent expenses of the Senate, in favor of the following persons for the amount set opposite each respective name:

Wm. S. Moss & Co., for Examiner, one hundred and twenty-three dollars.
The Guardian Newspaper, one dollar and twenty-five cents.
Joseph Walkup, for Placer Herald, thirty dollars.
James Anthony & Co., for Sacramento Union, seventy-three dollars.
P. Anderson, for Pacific Appeal, ten dollars.
Monterey Democrat, for newspaper, four dollars.
B. F. Davis, for El Dorado Republican, four dollars and fifty cents.
The Contra Costa Gazette, paper, eighteen dollars.
Lyons & Barry, for a newspaper, Monitor, sixty-three dollars.
J. J. Owen, for the Mercury, five dollars.
Max. Cohnheim, San Jose Chronicle, two dollars and fifty cents.
Bernard Dennery, for merchandise, two dollars and fifty cents.
News-Letter, forty-five dollars.
Koozer & McPherson, Santa Cruz Sentinel, six dollars.
Charles B. Higby, Calaveras Chronicle, five dollars.
Thompson & Linthicum, Solano Democrat, thirty-six dollars.
Briggs & Springer, Amador Weekly Ledger, three dollars.
H. C. Patrick, San Joaquin Republican, forty-four dollars and sixty-two cents.
Wm. E. Ward, for Plumas National, three dollars.
Fresno Expositor, ten dollars.
Thomas L. Thompson, for Sonoma Democrat, forty five dollars.
Ireland & Multner, for merchandise, two dollars and fifty cents.
W. M. Penry, for Amador Dispatch, fifteen dollars.
McPherson & Brothers, for San Mateo Gazette, fifteen dollars.
Oakland Daily News, fifty dollars.
John H. Carmany & Co., newspaper, four dollars.
J. S. Vaughn & Co., paper, six dollars.
For Solano Republican, three dollars.
F. Fisher, for Mendocino Press, eighteen dollars
A. E. Wagstaff, for Yolo Mail, five dollars.
J. E. Wyman, for Weekly Humboldt Times, nine dollars.
Fred. K. Hess & Co., for Daily California Demokrat, five dollars.
Hopkins & Francis, for Napa Register, four dollars.

Weston & Scudder, for Journal and Argus, twelve dollars and fifty cents.
Wm. Saunders, for Yolo Democrat, twenty-four dollars.
Los Angeles Star, paper, one dollar and fifty cents.
Robert Nixon, for Yreka Journal, fifteen dollars.
Dewey & Co., for Pacific Rural Press, forty-eight dollars.
Frink & Hayden, for Grass Valley Republican, twelve dollars.
A. Townsend, for Sentinel, six dollars.
J. C. Patridge, for Sage Brush, three dollars.
Montgomery & Menefee, Napa County Reporter, four dollars.
W. S. Carter, Shasta Courier, three dollars.
John G. & S. S. Howell, Russian River Flag, fifteen dollars.
To Appeal Association, nine dollars.
To Stockton Independent, forty-four dollars.

McMURRY, Chairman.

PETITION.

Mr. Comte presented a petition from the Howard Benevolent Association of Sacramento.
Referred to the Finance Committee.

FURTHER REPORTS.

By Mr. Hutchings:

Mr PRESIDENT: Your Committee on Enrollment respectfully report that they have examined and find correctly enrolled Senate Bill No. 321—An Act to amend an Act entitled an Act to authorize the issuance of bonds by the County of San Luis Obispo to erect county buildings and to provide a site for the same, approved April fourth, eighteen hundred and seventy—and have presented the same to the Governor for his signature, this day at ten o'clock and thirty minutes A. M.

HUTCHINGS.

Mr. Minis verbally reported Assembly Bills No. 485 and No. 385, and recommended their passage.
On motion of Mr. Minis, the rules were suspended for the consideration of Assembly Bill No. 385, above reported.
The bill was read a third time and passed.

By Mr. Keys:

Mr. PRESIDENT: The Mariposa delegation, to whom was referred Assembly Bill No. 542—An Act authorizing the Board of Supervisors of Mariposa County to pay a certain claim—respectfully refer the same back and recommend its passage.

KEYS, of Delegation.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 12th, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 375—An Act to establish a Political Code.

NEWTON BOOTH, Governor.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
March 12th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this twelfth day of March, refused to concur in certain Senate amendments to substitute for Assembly Bill No. 112—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty ninth, eighteen hundred and fifty-one—and respectfully ask that your honorable body recede from your amendments.

Also, passed, with amendments, Senate Bill No. 47—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-fifth, eighteen hundred and sixty-eight.

Also, passed, with amendments, Senate Bill No. 353—An Act to provide for the election of Treasurer and Collector for El Dorado County, and to fix their compensation.

Also, passed, with amendments, Senate Bill No. 126—An Act in relation to Coroners—and amended the title to conform with the bill.

Also, passed, under a suspension of the rules, Assembly Bill No. 584—An Act to incorporate the Town of San Leandro, in Alameda County—and the same was ordered transmitted to the Senate without engrossment.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 12th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the seventh instant, passed Assembly Bill No. 516—An Act to permanently locate the county seat of the County of Monterey by the qualified electors of said county.

Also, on the eighth instant, passed Assembly Bill No. 517—An Act in reference to the County Assessor of Napa County.

Also, Assembly Bill No. 480—An Act to amend an Act entitled an Act defining the legal distances from each county seat to the Capitol, Lunatic Asylum, and State Prison, approved April twenty-fourth, eighteen hundred and fifty-eight.

Also, Assembly Bill No. 455—An Act reserving all lands within this State, belonging to the State of California, for sale to actual settlers only.

Also, Assembly Bill No. 512—An Act amendatory of and supplemental to an Act entitled an Act to regulate and license places of public amusements, approved April thirteenth, eighteen hundred and sixty three.

Also, substitute for Assembly Bill No. 344—An Act regulating the rights of property of married women.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 12th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the eleventh instant, passed Senate Bill No. 185—An Act to amend an Act to provide for the sale and management of the lands belonging to the State.

Also, Assembly Bill No. 493—An Act in relation to interpreters before Grand Juries.

Also, Assembly Bill No. 473—An Act in relation to homesteads.

Also, Assembly Bill No. 348—An Act amendatory of an Act entitled an Act concerning crimes and punishments.

Also, Assembly Bill No. 521—An Act to regulate and fix the salary of the Assessor of Monterey County.

Also, amended and passed, Senate Bill No. 223—An Act providing for the appointment of a Reporter in the First Judicial District of this State.

Also, amended and passed, Senate Bill No. 165—An Act to provide for the condemnation of lands for road purposes in the County of Santa Cruz.

Also, passed, under a suspension of the rules, Assembly Bill No. 506—An Act requiring Boards of Education and School Trustees to equalize the salaries of male and female teachers in the public schools of this State—and the same was ordered transmitted to the Senate without engrossment.

Also, on the eleventh instant, passed Senate Joint Resolution No. 7—Requesting the United States Congress to take immediate steps to suppress Indian outrages in Arizona Territory.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 516, above reported, read first and second times and referred to the Committee on Counties and County Boundaries.

Assembly Bill No. 517, above reported, read first and second times and referred to the Napa delegation.

Assembly Bill No. 480, above reported, read first and second times and referred to the Committee on Mileage.

Assembly Bill No. 455, above reported, read first and second times and referred to the Committee on Public Lands.

Assembly Bill No. 512, above reported, read first and second times and referred to the Committee on Public Morals.

Substitute for Assembly Bill No. 344, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 493, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 133, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 348, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 521, above reported, read first and second times and referred to the Monterey delegation.

Senate Bill No. 223, above reported, amendments adopted by the Assembly concurred in by the Senate.

Assembly Bill No. 506, above reported, read first and second times and referred to the Committee on Education.

Assembly Bill No. 584, above reported, read first and second times and referred to the Committee on Corporations.

Substitute for Assembly Bill No. 112, above reported, read first and second times and referred to the Judiciary Committee.

Senate Bill No. 353, above reported, amendments reported from the Assembly concurred in by the Senate.

Senate Bill No. 126, above reported, Assembly amendments concurred in by the Senate.

Senate Bill No. 47, above reported, Assembly amendments concurred in by the Senate.

SPECIAL ORDER.

Senate Bill No. 344—An Act to provide further accommodation for the insane of the State of California, and to provide a special fund therefor. Considered in Committee of the Whole and amended.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the Senate, rules suspended, bill considered engrossed, read a third time and passed.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Oulton—An Act to extend an Act entitled an Act concerning District Court Reporters, approved March twentieth, eighteen hundred and sixty-six, to the Nineteenth and Twentieth Judicial Districts of the State of California.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Tompkins—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, approved May first, eighteen hundred and fifty-one.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Pendegast—An Act for the protection of fish and game in certain portions of Napa County.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Keys—An Act supplementary to an Act concerning public ferries and toll bridges, approved April fifteenth, eighteen hundred and fifty-five.

Read first and second times and referred to the Judiciary Committee.

By Mr. McKusick—An Act to provide for Public Administrators in certain cases.

Read first and second times and referred to the Judiciary Committee.

By Mr. Pendegast—An Act to regulate planting and propagating lobsters and eels in this State.

Read first and second times and referred to the Committee on Commerce and Navigation.

By Mr. Evans—An Act concerning the State military.

Read first and second times and referred to the Committee on Claims.

By Mr. Comte—An Act to create and establish a State Botanical and Zoological Farm for the experimental culture of all desirable plants of foreign or indigenous growth available for economic purposes; for the cultivation of knowlege in zoology, and for the foundation of a public thermal sanitarium for the care of chronic maladies.

Read first and second times and referred to the Committee on Federal Relations, and ordered printed.

GENERAL FILE.

Senate Bill No. 172—An Act to create a Board of Public Works in the City and County of San Francisco.

Laid on the table.

Substitute for Assembly Bill No. 13—An Act supplementary to an Act to repeal the several charters of the City of San Francisco, and to establish the boundaries of the City and County of San Francisco, etc.

Mr. Fowler moved to indefinitely postpone the bill.

Upon which the ayes and noes were demanded by Messrs. Oulton, Larkin, and Duffy, and the Senate refused by the following vote:

AYES—Messrs. Banvard, Beck, Boggs, Comte, Farley, Fowler, Gwin, Hutchings, Irwin, Keys, Larkin, McCoy, McMurry, Minis, O'Connor, Pendegast, Tuttle, Van Ness, Wand, and Wilson—20.

NOES—Messrs. Andross, Betge, Boucher, Crane, De Haven, Duffy, Dyer, Evans, Finney, Garratt, Goodale, Kent, Maclay, McKusick, Neff, Oulton, Perkins, Tompkins, Turner, and Wing—20.

Mr. Fowler moved to lay the bill on the table.

Upon which the ayes and noes were demanded by Messrs. Comte, Wand, and Fowler, and the Senate so ordered by the following vote:

AYES—Messrs. Banvard, Beck, Betge, Boggs, Comte, Farley, Fowler, Gwin, Hutchings, Irwin, Keys, Larkin, Maclay, McCoy, McMurry, Minis, O'Connor, Pendegast, Tuttle, Van Ness, Wand, and Wilson—22.

NOES—Messrs. Andross, Boucher, Crane, De Haven, Duffy, Dyer, Evans, Finney, Garratt, Goodale, Kent, McKusick, Neff, Oulton, Perkins, Tompkins, Turner, and Wing—18.

On motion of Mr. Comte, the vote by which the bill this day introduced by him was referred to the Committee on Federal Relations, was reconsidered, and Mr. Comte had leave to withdraw the bill.

At twelve o'clock and fifty-seven minutes P. M. the Senate took a recess until two o'clock.

REASSEMBLED.

Senate reassembled at two o'clock P. M.

President pro tem in the chair.

Roll called.

Quorum present.

RESOLUTION.

By Mr. Oulton:

Resolved by the Senate, the Assembly concurring, That Hon. Romualdo Pacheco be and is hereby granted sixty days leave of absence from the State.

Rules suspended and resolution adopted.

RECONSIDERATION.

On motion of Mr. Maclay, the vote by which the Senate on this day ordered to the table substitute for Assembly Bill No. 13, was reconsidered.

Mr. Betge moved to strike out the enacting clause of the bill. Upon which the ayes and noes were demanded by Messrs. Pendegast, Oulton, and Finney, and the Senate so ordered by the following vote:

AYES—Messrs. Banvard, Beck, Betge, Boggs, Comte, Farley, Fowler, Gwin, Hutchings, Irwin, Keys, Larkin, Maclay, McCoy, McMurry, Minis, O'Connor, Pendegast, Tuttle, Van Ness, Wand, and Wilson—22.

NOES—Messrs. Andross, Boucher, Crane, De Haven, Duffy, Dyer, Evans, Finney, Garratt, Goodale, Kent, McKusick, Neff, Oulton, Perkins, Tompkins, Turner, and Wing—18.

SPECIAL ORDER.

Senate Bill No. 33—An Act to enforce the education of children.

Upon the passage of the bill the ayes and noes were demanded by Messrs. Pendegast, Banvard, and Larkin, and the Senate refused by the following vote:

AYES—Messrs. Andross, Boucher, Crane, De Haven, Duffy, Dyer, Evans, Finney, Garratt, Goodale, Kent, McKusick, Neff, Oulton, Perkins, Tompkins, Turner, and Wing—18.

NOES—Messrs. Banvard, Beck, Betge, Boggs, Comte, Farley, Fowler, Gwin, Hutchings, Irwin, Keys, Larkin, Maclay, McCoy, McMurry, Minis, O'Connor, Pendegast, Tuttle, Van Ness, Wand, and Wilson—22.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
March 13th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twelfth instant, passed Senate Bill No. 290—An Act to amend an Act entitled an Act to protect agriculture and to prevent the trespassing of animals upon private property, approved March twenty-sixth, eighteen hundred and sixty-six.

Also, passed Assembly Bill No. 333—An Act in relation to the Board of Education of the City and County of San Francisco.

Also, passed, under a suspension of the rules, Assembly Bill No. 563—

An Act authorizing the County Treasurer of the County of Alameda to pay certain claims against said county—and the same was ordered transmitted to the Senate without engrossment.

Also, on this thirteenth instant, passed, under a suspension of the rules, Assembly Bill No. 589—An Act to provide for the payment of the salaries and fees of the officers of Alpine County.

Also, passed Assembly Bill No. 592—An Act to incorporate the Town of Napa City—and the same were ordered transmitted to the Senate without engrossment.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 13th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twelfth day of March, passed, by a two thirds vote, Assembly Bill No. 273—An Act supplemental to an Act entitled an Act to authorize the County of Sonoma to donate bonds to a railroad company, and to provide for the payment of the same, approved March eighteenth, eighteen hundred and sixty-eight—notwithstanding the objections of the Governor, and to transmit the same to the Senate for its action.

BORUCK, Chief Clerk.

ASSEMBLY CHAMBER,
March 13th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this 13th day of March, passed Senate Bill No. 402—An Act to put into immediate effect certain parts of the Political and Penal Codes.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 13th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this thirteenth day of March, concurred in Senate Concurrent Resolution No. 45—Relative to granting Lieutenant Governor R. Pacheco leave of absence from the State for sixty days.

Also, on the same day, adopted the following resolution:

Resolved, That the Senate be requested to return to this House Senate Bill No. 47, the same having been returned to the Senate by mistake.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 333, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 563, above reported, read first and second times, rules suspended, bill read a third time and passed.

Assembly Bill No. 589, above reported, read first and second times and ordered on file.

Assembly Bill No. 392, above reported, read first and second times and referred to the Napa delegation.

Mr. Oulton moved to make the consideration of the Governor's message, above reported, the special order for Friday next, at two o'clock P. M., upon which the ayes and noes were demanded by Messrs. O'Connor, Betge, and Larkin, and the Senate so ordered by the following vote:

AYES—Messrs. Andross, Banvard, Beek, Betge, Boggs, Comte, Duffy, Dyer, Evans, Farley, Finney, Garratt, Gwin, Hutchings, Irwin, Kent, Keys, Maclay, McCoy, Minis, Oulton, Pendegast, Perkins, Tompkins, Turner, Van Ness, Wilson, and Wing—28.

NOES—Messrs. Boucher, Crane, De Haven, Fowler, Goodale, Larkin, McKusick, McMurry, Neff, O'Connor, Tuttle, and Wand—12.

Assembly Resolution, above reported, requesting the return of Senate Bill No. 45, was adopted.

RECONSIDERATION.

Pursuant to notice, Mr. Maclay moved to reconsider the vote by which the Senate, on yesterday, refused to pass Senate Bill No. 245.

On motion of Mr. Minis, the motion to reconsider was made the special order for Saturday next, at eleven o'clock A. M.

At five o'clock and twenty two minutes P. M., on motion of Mr. Neff, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Thursday, March 14th, 1872.

Senate met pursuant to adjournment.
President pro tem in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

REPORTS.

The following reports were made:

By Mr. Banvard:

Mr. PRESIDENT: The Committee on Finance, to whom was referred Senate Bill No. 390—An Act in relation to the State Printer—have had the same under consideration, and herewith report it back and recommend its passage.

Also, Assembly Bill No. 336—An Act to repeal an Act entitled an Act to authorize the Controller of State to issue duplicate warrants, approved

January twenty-sixth, eighteen hundred and seventy-two—and recommend its passage.

BANVARD, Chairman.

By Mr. Wilson:

Mr. PRESIDENT: Your Committee on Agriculture, to whom was referred Assembly Bill No. 545—An Act to amend an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties of this State, and to provide for a bounty for the same—having duly considered the same, report said bill back and recommend its passage.

Your committee have also had under consideration the substitute for Assembly Bills Nos. 213 and 284—An Act to protect agriculture and to prevent the trespassing of animals upon private property. Your committee find the bill to be carefully drawn, and they believe it will work well in the certain counties to which its provisions will apply. Your committee therefore report the bill back and recommend the following amendments, viz: After the word "Sacramento," in line twenty-six, section sixteen, insert the words "Los Angeles," "Santa Barbara," "San Luis Obispo;" also, amend section nineteen by striking out the words "Santa Barbara," in the third line, and by striking out the words "San Luis Obispo," in lines five and six of the same section.

Your committee ask the exemption of the above named counties, inasmuch as they are already provided for by laws passed at the present session of the Legislature. They therefore recommend the adoption of the amendment and the passage of the bill as amended.

WILSON, Chairman.

Mr. Wilson verbally reported Senate Bill No. 329, without recommendation.

By Mr. Maclay:

Mr. PRESIDENT: Your committee to whom was referred Assembly Bill No. 584—An Act to incorporate the Town of San Leandro, in Alameda County—have had the same under consideration, report the same back and recommend its passage.

Also, have had under consideration Assembly Bill No. 121—An Act supplemental to an Act entitled an Act concerning corporations—report the same back and recommend its passage.

Also, have had under consideration Senate Bill No. 312—An Act supplementary to and amendatory of an Act entitled an Act to incorporate the Town of Santa Cruz.

Also, Senate Bill No. 354—An Act to reincorporate the City of Vallejo.

Also, Senate Bill No. 377—An Act to authorize the Trustees of the Town of Colusa to call an election of the qualified voters of said town to vote upon the continuance or dissolution of the municipal corporation of said town.

Report the bills back and recommend that they pass.

MACLAY, Chairman.

On motion of Mr. Maclay, the rules were suspended for the consideration of Assembly Bill No. 584, above reported.

The rules were suspended, bill read a third time and passed.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 344—An Act to provide further accommodation for the insane of the State of California, and to provide a special fund therefor.

TUTTLE, for Committee.

By Mr. Tompkins:

Mr. PRESIDENT: The Committee on Judiciary have had under consideration Assembly Bill No. 528—An Act to authorize C. C. Bush, late County Judge of Shasta County, to execute a certain deed for town lands of the Town of Shasta—and report the same back and recommend that it do not pass, because the deed by the bill contemplated to be made would be utterly invalid.

Also, have had under consideration Senate Bill No. 300—An Act to legalize certain proceedings of the Board of Supervisors of Yolo County—and report the same back, with amendments to section one. The committee are unanimously of opinion that section two should be stricken out, and also that section one should be amended as reported by the committee, and so recommend; but are divided in opinion as to the propriety of the passage of section one, even as amended, and therefore make no recommendation in relation thereto.

Also, have had under consideration Senate Bill No. 379—An Act to authorize Margaret McDaniel, administratrix of the estate of Thomas McDaniel, deceased, to borrow money to pay the debts of the estate.

Also, Assembly Bill No. 433—An Act in relation to homesteads.

Also, Assembly Bill No. 509—An Act supplementary to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one.

And report the same back and recommend that they do not pass.

Also, Assembly Bill No. 324—An Act concerning actions for libels—and report the same back, and a majority of the committee recommend that it do not pass.

Also, have had under consideration Assembly Bill No. 493—An Act in relation to interpreters before Grand Juries.

Also, Assembly Bill No. 387—An Act to enable the Board of Supervisors of Sacramento County to refund certain moneys.

Also, Senate Bill No. 410—An Act to provide for Public Administrators in certain cases.

And report the same back and recommend the passage of the several bills.

Also, have had under consideration Senate Bill No. 397—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one—report the same back with an amendment, and recommend the adoption of the amendment and the passage of the bill as amended.

Also, Assembly Bill No. 418—An Act to legalize and confirm the election of school officers in the City of Vallejo and other matters—and report the same back without recommendation.

TOMPKINS, Chairman.

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 400—An Act to authorize the Board of Supervisors of Los Angeles County to locate and fund bridges across the Los Angeles River and the New San Gabriel and the Old San Gabriel Rivers, in Los Angeles County, and to issue bonds for the payment of the same.

Also, Senate Bill No. 407—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, approved May first, eighteen hundred and fifty one.

Also, Senate Bill No. 385—An Act in regard to Swamp Land District Number Eighteen.

Also, Senate Bill No. 408—An Act for the protection of fish and game in certain portions of Napa County.

NEFF, for Committee.

SUSPENSION OF THE RULES.

On motion of Mr. Fowler, the rules were suspended for the consideration of Senate Bill No. 312, this day reported by the Committee on Corporations.

The rules were further suspended, bill considered engrossed, read a third time and passed.

Mr. Goodale verbally reported Senate Bill No. 398, and recommended its passage.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 13th, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 271—An Act concerning roads in the County of Butte.

Also, Senate Bill No 351—An Act supplementary to an Act entitled an Act to authorize the Board of Supervisors of Mendocino County to issue bonds of said county and apply the same to the construction of wagon roads in said county, approved February twentieth, eighteen hundred and seventy-two.

Also, Senate Bill No. 206—An Act amendatory of and supplementary to an Act entitled an Act to define and limit the compensation of officers and reduce public expenses and taxation in the County of San Mateo, approved February sixth, eighteen hundred and sixty-four.

Also, Senate Bill No. 316—An Act to authorize the issue of bonds by the County of Inyo to erect county bridges and buildings.

Also, Senate Bill No. 341—An Act to regulate the fees of the Sheriff of the County of Santa Cruz.

Also, Senate Bill No. 317—An Act to amend an Act entitled an Act to incorporate the City of Gilroy, approved March twelfth, eighteen hundred and seventy.

Also, Senate Bill No. 226—An Act to continue the Geological Survey of the State of California.

NEWTON BOOTH, Governor.

REPORT.

By Mr. Wand:

Mr. PRESIDENT: The San Francisco delegation have had the following bills under consideration and report them back as follows:

Assembly Bill No. 384—An Act to confirm Order Number One Thousand and Four, passed by the Board of Supervisors of the City and County of San Francisco—amended, and passage recommended as amended.

Also, Assembly Bill No. 513—An Act to authorize the Mayor of the City and County of San Francisco to convey certain lands to the San Francisco Lying-in Hospital and Foundling Asylum—passage recommended.

Also, Assembly Bill No. 16—An Act to provide and pay for services rendered the City and County of San Francisco—amended, and passage recommended as amended.

Also, Assembly Bill No. 41—An Act to legalize and confirm certain ordinances passed and contracts made by the Board of Supervisors of the City and County of San Francisco, relative to the removal of dead animals from the city limits—majority of delegation recommend that it do not pass.

Also, Assembly Bill No. 376—An Act entitled an Act appropriating funds to enlarge the Home for the Care of the Inebriate, located in the City and County of San Francisco—recommend that it do not pass.

Also, substitute for Assembly Bill No. 498—An Act to authorize the appointment of interpreters for certain Courts in the City and County of San Francisco—recommend that it do not pass.

Also, Assembly Bill No. 443—An Act to remedy duplicate payments of taxes in the City and County of San Francisco—recommend that it do not pass.

Also, Assembly Bill No. 459—An Act to transfer to the Board of Supervisors of the City and County of San Francisco the management and control and direction of the affairs of the Industrial School Department of said city and county—passage recommended.

Also, Assembly Bill No. 453—An Act granting certain privileges to the North Beach and Mission Railroad Company—recommend that it do not pass.

WAND, for Delegation.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
March 14th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the eleventh day of March, passed Assembly Bill No. 450—An Act to provide for the purchase of stationery, blanks, books, lights, fuel, furniture, etc., for State officers and members of the Legislature.

Also, on the thirteenth day of March, passed Senate Bill No. 219—An

Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers in the County of San Luis Obispo.

Also, on the same day, passed Senate Bill No. 255—An Act to appropriate money for the relief of John J. McCredy.

Also, on the same day, passed Senate Bill No. 365—An Act to restrict the hunting or shooting of game in the County of Yolo.

Also, on the same day, passed Senate Bill No. 352—An Act amendatory of and supplementary to an Act entitled an Act to reincorporate the City of Placerville and extend the limits thereof, approved April sixth, eighteen hundred and sixty-three.

Also, on the same day, passed Senate Bill No. 247—An Act to amend an Act entitled an Act to regulate fees and salaries of officers, and defining their duties, in the County of El Dorado, and other matters relating thereto, approved March fifth, eighteen hundred and seventy.

Also, on the same day, passed Senate Bill No. 296—An Act to amend an Act entitled an Act concerning roads and highways in the County of San Mateo, approved March twenty-fifth, eighteen hundred and sixty-eight.

Also, on the same day, concurred in Senate Concurrent Resolution No. 43—Relative to payment of claim of James Woolworth and Len. Harris, for services with State Prison Commission of Senate and Assembly at its nineteenth session.

Also, adopted Assembly Concurrent Resolution No. 28—Relative to printing Report of Fish Commissioners—and respectfully ask the concurrence of the Senate therein.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 450, above reported, read first and second times and referred to the Committee on Finance.

Assembly Concurrent Resolution No. 48, above reported, read first and second times and referred to the Committee on Printing.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Tuttle—An Act to provide for an official survey of the swamp and overflowed, tule and salt marsh lands, in Sonoma County.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands.

By Mr. Oulton—An Act to authorize the transfer to the General Fund of money in other Funds of the State Treasury, and the return thereof to such Funds.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Crane—An Act to amend an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Read first and second times and referred to the Judiciary Committee.

By Mr. Banvard—An Act making an appropriation for deficiencies for the twenty-third fiscal year, ending the twentieth day of June, eighteen hundred and seventy-two.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Wand—An Act to repeal an Act granting certain powers to the Board of Supervisors of the City and County of San Francisco.

Read first and second times and referred to the San Francisco delegation.

By Mr. Tuttle—An Act to reincorporate the City of Petaluma.

Read first and second times and referred to the Judiciary Committee.

By Mr. Beck—An Act to amend an Act entitled an Act concerning public roads and highways in the Counties of Santa Cruz and San Diego, approved March twenty first, eighteen hundred and seventy.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

Also, an Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public, and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Neff—An Act to regulate the rates of telegraphing in this State.

Read first and second times and referred to the Committee on Corporations, and ordered printed.

By Mr. Comte—An Act to create and establish a State Botanical and Zoological Farm for the experimental culture of all desirable plants of foreign or indigenous growth available for economic purposes, for the cultivation of knowledge in zoology, and for the foundation of a public thermal sanitarium for the cure of chronic maladies.

Read first and second times and referred to the Committee on Federal Relations, and ordered printed.

By Mr. Minis—An Act to authorize the Board of Supervisors of Yolo County to approve and certify claims against Swamp Land District Number Eighteen.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands.

GENERAL FILE.

Senate Bill No. 361—An Act to provide a system of common schools.

Recommitted to the Committee on Education with special instructions.

[Mr. Evans in the chair.]

Assembly Bill No. 434—An Act to provide for finishing the State Normal School building and paying the indebtedness incurred in the construction thereof.

Considered in the Committee of the Whole and amended.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the Senate, and on motion of Mr. Oulton, the bill was temporarily laid on the table.

REPORT.

By Mr. Hutchings:

Mr. PRESIDENT: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 52—An Act to punish adultery.

Also, Senate Bill No. 265—An Act supplementary to an Act entitled an Act defining the time for commencing civil actions, passed April twenty second, eighteen hundred and fifty.

Also, Senate Bill No. 349—An Act concerning a certain road in the County of Sierra.

Also, Senate Bill No. 279—An Act to amend an Act entitled an Act to fix the compensation of officers, to provide for funding the floating debt of the County of Santa Barbara, and prohibit the contracting of any new indebtedness against said county, approved April fourth, eighteen hundred and sixty-four.

Also, Senate Bill No. 310—An Act concerning service of summons upon absent defendants by publication.

Also, Senate Bill No. 170—An Act to encourage agriculture and other industries.

Also, Senate Bill No. 339—An Act authorizing the transcribing of certain records in the County of San Luis Obispo.

Also, Senate Bill No. 217—An Act to amend an Act entitled an Act to provide for the funding of the indebtedness of the County of San Luis Obispo outstanding on the first day of July, eighteen hundred and sixty-three, approved March sixth, eighteen hundred and sixty three.

Also, Senate Bill No. 309—An Act to provide for the payment of deficiency in the State Prison appropriation for the twenty third fiscal year, ending June thirtieth, eighteen hundred and seventy-two.

Also, Senate Bill No. 185—An Act to amend an Act to provide for the management and sale of lands belonging to the State, approved twenty-eighth March, eighteen hundred and sixty-eight.

Also, Senate Bill No. 207—An Act to amend an Act entitled an Act to abolish the office of Public Administrator in the Counties of Tuolumne and Santa Barbara, approved April eighteenth, eighteen hundred and fifty-nine.

Also, Senate Bill No. 345—An Act to fix the salary of the members of the Board of Supervisors of the County of Trinity.

Also, Senate Joint Resolution No. 5—Relative to instructing our Senators and requesting our Representatives in Congress not to allow a reduction of the duty on chicory flour imported from foreign countries, etc.

And have presented the same to the Governor for his signature, at eleven o'clock and twenty-five minutes A. M.

HUTCHINGS.

GENERAL FILE RESUMED.

The Senate resumed the consideration of Assembly Bill No. 434—An Act to provide for finishing the State Normal School building and paying the indebtedness incurred in the construction thereof.

Mr. Oulton offered a substitute for section seventeen, which was adopted, bill read a third time and passed.

Assembly Bill No. 538—An Act to prohibit the hunting or shooting of game within certain private grounds in the County of Butte.

Amendments reported by the delegation adopted, bill read a third time and passed.

Assembly Bill No. 191—An Act to provide for the protection of the City of Sacramento and Swamp Land District Number Two.

Amendments reported by the delegation adopted, bill read a third time and passed.

[President pro tem in the chair.]

Assembly Bill No. 354—An Act to submit the question of the removal of the county seat of Kern County to the qualified electors of said county.

Ordered at top of file for Saturday next.

Assembly Bill No. 183—An Act to restrict the herding of sheep and goats in the County of El Dorado.

Laid on the table.

Assembly Bill No. 282—An Act to allow certain persons to take possession of and improve a certain road in Sacramento County.

Mr. Minis moved to indefinitely postpone the bill.

Upon which the ayes and noes were demanded by Messrs. Minis, Duffy, and Larkin, and the Senate refused by the following vote:

Ayes—Messrs. Goodale, Hutchings, Irwin, Larkin, McMurry, Minis, O'Connor, and Wand—8.

Noes—Messrs. Andross, Betge, Boggs, Boucher, Conte, Crane, Duffy, Evans, Farley, Finney, Garratt, Kent, Keys, Maclay, McCoy, McKusick, Neff, Oulton, Pendegast, Perkins, Turner, Van Ness, Wilson, and Wing—24.

The bill was read a third time and passed.

REPORT.

By Mr. Hutchings:

Mr. President: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 165—An Act to provide for the condemnation of lands for road purposes in the County of Santa Cruz.

Also, Senate Bill No. 196—An Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, passed May seventeenth, eighteen hundred and sixty-one.

Also, Senate Joint Resolution No. 7—Requesting United States Congress to take immediate steps to suppress Indian outrages in Arizona Territory.

Also, Senate Bill No. 353—An Act to provide for the election of a Treasurer and Collector of El Dorado County and to fix their compensasation.

Also, Senate Bill No. 223—An Act providing for the appointment of a Reporter in the First Judicial District of this State.

Also, Senate Bill No. 402—An Act to put into immediate effect certain parts of the Political and Penal Codes.

And have presented the same to the Governor for his signature, at twelve o'clock and forty minutes P. M.

HUTCHINGS.

GENERAL FILE RESUMED.

Assembly Bill No. 440—An Act to provide for the location, construction, and maintenance of public roads in the County of Nevada.

Read a third time and passed.

Assembly Bill No. 369—An Act to encourage the destruction of squirrels and gophers.

Read a third time and passed.

Assembly Bill No. 384—An Act to provide for the appointment of Commissioners to recommend amendments to the Constitution.

Report of the Judiciary Committee, recommending that the bill do not pass, was adopted.

Assembly Bill No. 374—An Act to prevent hunting, shooting, and the felling of trees on private grounds in the Counties of Santa Barbara and San Luis Obispo.

Report of the Committee on Agriculture, recommending that the bill do not pass, was adopted.

Assembly Bill No. 125—An Act in relation to life insurance.

Report of the Judiciary Committee, recommending that the bill do not pass, was adopted.

Assembly Bill No. 426—An Act in relation to the residence of County Judges.

Report of the Judiciary Committee, recommending that the bill do not pass, was adopted.

At one o'clock P. M. the Senate took a recess for one hour.

REASSEMBLED.

Senate reassembled at two o'clock P. M.

President pro tem in the chair.

Roll called.

Quorum present.

FURTHER INTRODUCTION OF BILLS.

Mr. Garratt had leave to introduce the following bill:

An Act supplemental to an Act entitled an Act to survey and dispose of certain salt marsh and tide lands belonging to the State of California, approved March thirtieth, eighteen hundred and sixty-eight; and an Act supplementary and amendatory thereof, approved April first, eighteen hundred and seventy.

Read first and second times and referred to the San Francisco delegation.

By Mr. Boggs—An Act to prevent hogs from running at large in the Town of Red Bluff.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

Mr. Keys had leave to withdraw Senate Bill No. 329.

REPORT.

By Mr. Larkin:

Mr. PRESIDENT: The Committee on State and County Revenue, to whom was referred Senate Bill No. 383—An Act to amend an Act entitled an Act to regulate and license places of public amusements, approved April thirteenth, eighteen hundred and sixty-three.

Also, Assembly Bill No. 160—An Act to enforce the collection of license taxes.

Would recommend their passage.

Also, Assembly Bill No. 322—An Act to amend an Act to provide revenue for the support of the government of this State, approved April twenty-ninth, eighteen hundred and fifty-seven.

Also, substitute for Assembly Bill No. 281—An Act to amend an Act entitled an Act to provide revenue for the support of the government

of this State, approved April twenty-ninth, eighteen hundred and fifty-seven.

Would recommend that they do not pass.

LARKIN, Chairman.

GENERAL FILE RESUMED.

The Senate resumed consideration of General File, as follows:

Assembly Bill No. 483—An Act to prevent hogs and goats running at large in the Town of Knight's Landing, Yolo County.

Read a third time and passed.

Assembly Bill No. 415—An Act to amend an Act supplementary to an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, and an Act amendatory thereof and supplemental thereto, approved March twenty-eighth, eighteen hundred and sixty-eight.

Read a third time and passed.

Assembly Bill No. 447—An Act in relation to mortgages upon growing crops.

Amended, and indefinitely postponed.

Assembly Bill No. 557—An Act concerning estrays in the County of Butte.

Recommitted to the Butte delegation.

REPORT.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 416—An Act making an appropriation for deficiencies for the twenty-third fiscal year, ending the thirtieth day of June, eighteen hundred and seventy-two.

TUTTLE, for Committee.

GENERAL FILE RESUMED.

Assembly Bill No. 542—An Act to authorize the Board of Supervisors of Mariposa County to pay certain claims.

Read a third time and passed.

Assembly Bill No. 446—An Act to provide for the division of Yolo County into assessment districts, for the election of District Assessors, and to define their duties, liabilities, and compensation.

Indefinitely postponed.

Assembly Joint Resolution No. 19—Relative to extending the time of payment for public lands.

Read a third time and adopted.

Assembly Bill No. 367—An Act to pay the claim of James T. Boyd.

Read a third time and passed.

Assembly Bill No. 489—An Act supplemental to an Act entitled an Act to regulate the settlement of the estates of deceased persons.

Recommitted to the Judiciary Committee.

Assembly Bill No. 417—An Act for the relief of Morris Woolf.

Read a third time and passed.

[Mr. O'Connor in the chair.]

Assembly Joint Resolution No. 27—Asking Congress to reserve public

lands in California for actual settlers only, under the homestead and preemption laws, and for a more rapid extension of the surveys of public lands in this State.

Read a third time and passed.

Assembly Bill No. 362—An Act to submit to the qualified electors of Alpine County the question of relocating the county seat of said county.

Read a third time and passed.

Assembly Bill No. 334—An Act for the relief of Henry N. Morse, Sheriff of Alameda County.

Read a third time; and, upon the passage of the bill, the ayes and noes were demanded by Messrs. Pendegast, Finney, and Neff, and the Senate so ordered by the following vote:

Ayes—Messrs. Banvard, Beek, Boggs, Boucher, Comte, Crane, De Haven, Duffy, Dyer, Evans, Farley, Finney, Fowler, Garratt, Goodale, Hutchings, Irwin, Kent, Keys, Larkin, Maclay, McCoy, McKusick, McMurry, Minis, Neff, O'Connor, Oulton, Pendegast, Perkins, Tompkins, Turner, Tuttle, Van Ness, Wand, Wilson, and Wing—37.

Noes—None.

Assembly Bill No. 113—An Act for the relief of D. B. Akey.

Passed on file.

Assembly Bill No. 589—An Act to provide for the payment of the salaries and fees of the officers of Alpine County.

Ordered on file for Tuesday next.

[President pro tem in the chair.]

Senate Bill No. 354—An Act to improve the quality of fish in Clear Lake.

Recommitted to the Napa delegation.

Senate Bill No. 273—An Act to more particularly define the boundary line between San Francisco and Alameda Counties.

Temporarily laid on the table.

Senate Bill No. 233—An Act to provide for a system of common schools.

Laid on the table.

Senate Bill No. 322—An Act to amend an Act entitled an Act to create and organize the University of California.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 256—An Act to encourage silk culture and manufacture.

Mr. Maclay introduced a substitute for the bill, which was adopted, and bill ordered at top of file for to-morrow.

Senate Bill No. 326—An Act to promote irrigation.

Mr. Minis moved to indefinitely postpone the bill.

Upon which the ayes and noes were demanded by Messrs. Larkin, Keys, and Banvard, and the Senate refused by the following vote:

Ayes—Messrs. Banvard, Beek, Boucher, Fowler, Goodale, Gwin, Kent, Larkin, McKusick, McMurry, Minis, Neff, O'Connor, Turner, and Wilson—15.

Noes—Messrs. Betge, Comte, Crane, Duffy, Dyer, Evans, Farley, Garratt, Hutchings, Irwin, Keys, Maclay, McCoy, Oulton, Pendegast, Perkins, Tompkins, Wand, and Wing—19.

On motion of Mr. Irwin, the bill was ordered at the head of the file for Tuesday next.

On motion of Mr. Oulton, Senate Bill No. 273—An Act to more particularly define the boundary line between San Francisco and Alameda Counties—was taken from the table and ordered on file for to-morrow.

Senate Bill No. 289—An Act amendatory of and supplemental to an Act to provide for the restoration and preservation of fish in the waters of this State.

Recommitted to the Committee on Agriculture.

Senate Bill No. 287—An Act to amend an Act entitled an Act to authorize and direct the County Judges of the various counties of this State to execute certain trusts in relation to the town lands granted to the incorporated towns in this State, etc.

Report of the Committee on Public Lands, recommending that the bill do not pass, was adopted.

Senate Bill No. 331—An Act to authorize certain persons to construct weirs and traps in the Straits of Carquinez for the purpose of taking fish.

Report of the Committee on Agriculture, recommending that the bill do not pass, was adopted.

Senate Bill No. 372—An Act for the relief of certain parties holding property on Market street, San Francisco.

Rules suspended, bill considered engrossed, read a third time, and passed.

Senate Bill No. 319—An Act amendatory of an Act to provide for the erection of a City Hall in the City and County of San Francisco.

Withdrawn.

Senate Bill No. 318—An Act amendatory of an Act to provide for the improvement of parks in San Francisco.

Withdrawn.

Senate Bill No. 266—An Act for the observance of the Sabbath.

Withdrawn.

Senate Bill No. 297—An Act to authorize the payment of Mrs. Eliza McLean for supplies furnished the Marine Hospital in the years eighteen hundred and fifty three and eighteen hundred and fifty-four.

Considered in Committee of the Whole and amended.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the Senate, rules suspended, bill considered engrossed, read a third time and passed.

GENERAL FILE RESUMED.

Senate Bill No. 370—An Act to provide for the incorporation of tramroad companies.

Referred to the Nevada and Placer delegations.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
March 12th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the ninth day of March, passed Assembly Bill No. 564—An Act to provide for the levying and collection of a special tax to be used in the construction of bridges in the County of Tehama.

Also, on the same day, passed Assembly Bill No. 501—An Act to provide for settling the boundary line between the Counties of Kern and Tulare.

Also, on the same day, passed Assembly Memorial and Joint Resolution No. 28—Relative to asking Congress for an appropriation to improve Humboldt Harbor.

Also, on the same day, passed Assembly Bill No. 558—An Act to properly define the boundaries of the Town of Antioch and extend the same.

Also, on the same day, passed Assembly Bill No. 546—An Act to amend an Act entitled an Act to amend an Act restricting the herding of sheep to certain pastures in the Counties of Sonoma and Marin, approved April twenty first, eighteen hundred and fifty seven, and the Act amendatory thereof, approved April twenty eighth, eighteen hundred and sixty, approved March fourteenth, eighteen hundred and seventy.

Also, on the same day, passed Assembly Bill No. 555—An Act to regulate the salaries and fix the compensation of the county officers of San Joaquin County.

Also, on the eleventh day of March, passed substitute for Assembly Bill No. 432—An Act amendatory of and supplementary to an Act entitled an Act to amend an Act to provide for a better system of common schools, approved April fourth, eighteen hundred and seventy.

Also, on the twelfth day of March, passed Assembly Bill No. 554—An Act to prevent hogs from running at large in the Towns of Susanville, Lassen County, Sutter Creek, Amador County, and Oroville, Butte County.

Also, on the same day, passed Assembly Bill No. 514—An Act to repeal an Act entitled an Act to provide for the better care of indigent sick in the County of San Bernardino, approved May sixth, eighteen hundred and sixty-two.

Also, on the same day, passed Assembly Bill No. 505—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, on the same day, passed Assembly Bill No. 544—An Act for the relief of J. N. Walker, former Tax Collector of Fresno County.

Also, on the same day, passed Assembly Bill No. 522—An Act to empower the City of Stockton to excavate, widen, and open the Mormon Slough, and to provide funds therefor.

Also, on the same day, passed Assembly Bill No. 499—An Act authorizing Sheriffs and Constables to wear a badge of office.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 14th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this fourteenth day of March, passed Senate Bill No. 387—An Act concerning the office of Secretary of the Fire Department of the City of Sacramento.

Also, on the same day, passed substitute for Assembly Bill No. 481—An Act to establish a Paid Fire Department in the City of Sacramento.

Also, on the same day, passed Senate Bill No. 405—An Act to provide for the opening and improving of Santa Clara and Saratoga Avenue, in the County of Santa Clara.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 564, above reported, read first and second times, and referred to the Tehama delegation.

Assembly Bill No. 501, above reported, read first and second times, and referred to the Tulare and Kern delegations.

Assembly Memorial and Joint Resolution No. 28, above reported, read first and second times, and referred to the Committee on Federal Relations.

Assembly Bill No. 558, above reported, read first and second times, and referred to the Contra Costa delegation.

Assembly Bill No. 546, above reported, read first and second times, and referred to the Sonoma delegation.

Assembly Bill No. 554, above reported, read first and second times, and ordered on file.

Assembly Bill No. 514, above reported, read first and second times, and referred to the San Bernardino delegation.

Assembly Bill No. 505, above reported, read first and second times, and referred to the Committee on Public Lands.

Assembly Bill No. 544, above reported, read first and second times, and ordered on file

Assembly Bill No. 522, above reported, read first and second times, and referred to the San Joaquin delegation.

Assembly Bill No. 499, above reported, read first and second times, and referred to the Judiciary Committee.

Assembly Bill No. 555, above reported, read first and second times, and referred to the San Joaquin delegation.

Substitute for Assembly Bill No. 432, above reported, read first and second times and referred to the Committee on Education.

Substitute for Assembly Bill No. 481, above reported, read first and second times, and referred to the Sacramento delegation.

Senate Bill No. 405, above reported, amendments made by the Assembly concurred in by the Senate.

Senate Bill No. —, above reported, amendments made by the Assembly concurred in by the Senate.

REPORT.

Mr. Betge submitted the following report:

Mr. PRESIDENT: Your Committee on Commerce and Navigation having

had under consideration Senate Bills Nos. 373 and 411, report the same back, and recommend their passage.

BETGE, Chairman.

GENERAL FILE.

Senate Bill No. 371—An Act to provide for the settlement of school property in several school districts that were adjacent to the City of Stockton, and which was by Act of the Legislature, etc.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 367—An Act to empower the City of Stockton to fund its school debt.

Amendment reported by the Judiciary Committee adopted.

Rules suspended, bill considered engrossed, read a third time and passed.

Mr. Minis verbally reported Assembly Bill No. 349, and recommended its passage.

Rules suspended, and Assembly Bill No. 349, above reported, read a third time and passed.

Mr. Neff had leave to withdraw Senate Bill No. 421, this day introduced by him, for the purpose of correcting a clerical error.

Mr. Tuttle verbally reported Assembly Bill No. 419, with amendments, and recommended its passage as amended.

At five o'clock and forty minutes P. M., on motion of Mr. Wand, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Friday, March 15th, 1872.

Senate met pursuant to adjournment.
President pro tem in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

REPORTS.

Reports were made as follows:

By Mr. Banvard:

Mr. PRESIDENT: The Committee on Finance, to whom was referred Assembly Bill No. 438—An Act to provide for the redemption of the bonded indebtedness of Calaveras County—have had the same under consideration, and herewith report it back with an amendment, and recommend the passage of the bill as amended.

BANVARD, Chairman.

By Mr. Pendegast:

Mr. President: The Committee on Counties and County Boundaries have had under consideration Senate Bill No. 368—An Act to create the County of San Benito, define its boundaries, and provide for its organization—and herewith return the same to the Senate and report as follows:

The object of the bill is to establish a new county in a portion of the territory now within the limits of Monterey County. The committee have already expressed their views against the formation of new counties, except in cases where a strong necessity for such action is made apparent, and when but little or no objection is made by the people in the territory to be affected.

The weak and embarrassed condition of some of the counties as at present organized is, in the opinion of the committee, a warning to the Legislature to be very cautious in the creation of others.

The information gleaned by the committee, by the petitions, remonstrances, and oral arguments, reveals a somewhat singular state of affairs. Quite a large number of persons resident in that portion of the territory which, if this bill should pass, would still be in Monterey County, petition for this legislation, while almost an equal number residing in the territory sought to be detached protest against the change.

There is a contest evidently impending between several sites in Monterey County, as at present constituted, for the location of the county seat.

It is the opinion of the committee that the petitions and remonstrances affecting this bill were signed, in a very great degree, with reference more to this county seat contest than to the real merits or demerits of the question of division.

It is made apparent to the committee that there is a want of harmony between two large and wealthy sections of the county, and we do not doubt that the proposed new county will in time, and perhaps in a short time, become a matter of sound policy. But we are not willing to recommend its creation at the present time, in the face of the fact that a very respectable minority of the citizens and taxpayers in the territory of the proposed new county earnestly object to it.

It may be well to state further that a bill precisely similar in character to this was introduced at an early day of the present session in the Assembly by the member from Monterey County, and that notwithstanding the powerful advocacy of the local member, who is also the Chairman of the Committee on Counties and County Boundaries in that body, the Assembly, after full consideration, refused to pass it. We have no reason to believe that that body will reverse its action, and it would seem to be idle for this body to pass a measure which there is little or no probability would receive favorable consideration from our coordinates.

We therefore respectfully recommend that the bill do not pass.

PENDEGAST, Chairman.

By Mr. Pendegast:

Mr. President: The Committee on Counties and County Boundaries have had under consideration Senate Bill No. 315 and Assembly Bill No. 516, bearing the same title, to wit—An Act to permanently locate the

On motion of Mr. Tuttle, Senate Bill No. 361, above reported, was ordered at top of file for to morrow.

By Mr. Banvard:

Mr. PRESIDENT: The Committee on Mileage, to whom was referred Senate Bill No. 248—An Act amendatory of an Act entitled an Act to reduce and establish salaries and pay of members of the Legislature, approved April twenty fifth, eighteen hundred and fifty six, approved April fourth, eighteen hundred and sixty four—have had under consideration the same, and recommend the amendment of it, by substituting three dollars in place of two dollars, and recommend the passage of the bill as amended.

Also, Assembly Bill No. 480—An Act to amend an Act defining the legal distance from each county seat to the Capitol, Lunatic Asylum, and State Prison, approved April twenty fourth, eighteen hundred and fifty-eight—and after consideration of the same, hereby recommend its passage.

BANVARD, Chairman.

By Mr. Goodale:

Mr. PRESIDENT: The Contra Costa delegation report back Assembly Bill No. 558, with amendments, and recommend the adoption of the amendments and the passage of the bill as amended.

GOODALE, for Delegation.

By Mr. Wand:

Mr. PRESIDENT: The San Francisco delegation have had the following bills under consideration and report them back as follows:

Assembly Bill No. 333—An Act in relation to the Board of Education of the City and County of San Francisco—passage recommended.

Also, Assembly Bill No. 308—An Act to increase and regulate the police force of the City and County of San Francisco—amended, and passage recommended as amended.

Also, Senate Bill No. 417—An Act to repeal an Act granting certain powers to the Board of Supervisors of the City and County of San Francisco—passage recommended.

Also, Senate Bill No. 424—An Act supplemental to an Act entitled an Act to survey and dispose of certain salt and marsh and tide lands belonging to the State of California, approved March thirtieth, eighteen hundred and sixty-eight, and an Act supplementary and amendatory thereof, approved April first, eighteen hundred and seventy—report the same back and recommend that the bill be recommitted to the Committee on Commerce and Navigation.

Also, substitute for Assembly Bill No. 83—An Act to repeal an Act entitled an Act to make, open, and establish a public street in the City and County of San Francisco, to be called Montgomery Street South, and to take private lands therefor, approved March seventeenth, eighteen hundred and seventy, and to provide for the payment of the expenses incurred under said Act—report the same back with substitute, and recommend the passage of the substitute.

Also, Senate Bill No. 259—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appro-

priations of money by said Board—amended, and passage recommended as amended.

WAND, for Delegation.

By Mr. Pendegast:

Mr. PRESIDENT: The Napa delegation, to whom was referred Assembly Bill No. 517—An Act in reference to the County Assessor of Napa County—report the same back with an amendment, and respectfully recommend the adoption of the amendment and the passage of the bill as amended.

PENDEGAST, for Delegation.

On motion of Mr. Pendegast, the rules were suspended for the consideration of Assembly Bill No. 517, above reported.

Amendments reported by the Napa delegation adopted, bill read a third time and passed.

Mr. Maclay verbally reported Assembly Bill No. 458, and recommended its passage.

MESSAGE FROM THE ASSEMBLY.

The following Assembly message was read:

ASSEMBLY CHAMBER,
March 15th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twelfth day of March, receded from all amendments to Senate Bill No. 47—An Act to amend an Act entitled an Act to provide for the management and sale of lands belonging to the State, approved March twentieth, eighteen hundred and sixty-eight—heretofore adopted, except that one excepting Sutter County from the provisions of the bill, and then refused to pass the bill.

Also, on the fourteenth day of March, passed Assembly Joint Resolution No. 29—Relative to establishing a weekly mail from Fort Jones, in Siskiyou County, to Orleans Bar.

Also, on the same day, concurred in Senate Memorial requesting relief of settlers on Suscol Rancho.

Also, on the same day, concurred in first and third Senate amendments, and refused to concur in the second amendment to Assembly Bill No. 434—An Act to provide for finishing the State Normal School building, and paying the indebtedness incurred in the construction thereof.

Also, on the same day, passed Assembly Bill No. 581—An Act to authorize the maintenance of a boom in Elk River, and to remove obstructions from said stream.

Also, on the same day, passed Senate Bill No. 386—An Act to amend an Act entitled an Act to reincorporate the Town of San Luis Obispo, approved March fourth, eighteen hundred and seventy-two.

Also, on the same day, passed Senate Bill No. 399—An Act to amend an Act entitled an Act to incorporate the Town of Wilmington, in the County of Los Angeles, in the State of California, approved February twentieth, eighteen hundred and seventy-two.

Also, on the same day, passed Senate Bill No. 404—An Act authorizing certain parties to improve a portion of Kings River, and to erect booms thereon.

Also, on the same day, passed Senate Bill No. 340—An Act to authorize

the Board of Supervisors of the City and County of San Luis Obispo to audit and allow the claim of J. B. Harrison.

Also, on the same day, passed Senate Bill No. 140—An Act to amend an Act entitled an Act for the protection of game, approved May thirteenth, eighteen hundred and fifty-four.

Also, on the same day, passed Senate Bill No. 264—An Act concerning the San Diego and Gila Southern Pacific and Atlantic Railroad Company, and to extend the time of performing certain acts.

Also, on the same day, passed Senate Bill No. 388—An Act to authorize the transfer of the Indian Fund of Siskiyou County to the School Fund of the county.

Also, on the same day, passed Senate Bill No. 378—An Act in relation to the office of District Attorney of Santa Cruz County.

Also, on the same day, passed Senate Bill No. 313—An Act relative to unpaid warrants and assessments in Reclamation District Number One Hundred and Eight.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Joint Resolution No. 29, above reported, was read first and second times and referred to the Committee on Federal Relations.

Assembly Bill No. 434, above reported, ordered second on file for Monday next.

Assembly Bill No. 581, above reported, read first and second times and referred to the Judiciary Committee.

Senate Bill No. 140, above reported, amendments reported from the Assembly concurred in by the Senate.

[Mr. Evans in the chair.]

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Keys—An Act to expedite the settlement of title to land sold by the State.

Read first and second times and referred to the Committee on Public Lands.

By Mr. Neff—An Act to regulate the rates of telegraphing in this State.

Read first and second times and ordered on file.

By Mr. Minis—An Act in regard to Washington Drainage District of Yolo County.

Read first and second times and referred to the Yolo delegation.

By Mr. O'Connor—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Read first and second times and referred to the Judiciary Committee.

By Mr. Van Ness—An Act to amend an Act entitled an Act to grant Guillermo Carillo and his assigns the right to supply the inhabitants of the Town of Santa Barbara with fresh water, approved May third, eighteen hundred and sixty-one.

Read first and second times and referred to the Judiciary Committee.

By Mr. Pendegast—An Act to establish a Civil Code.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed, and ordered transmitted immediately to the Assembly.

By Mr. Boggs—An Act to provide for collecting a poll hospital tax in the County of Colusa.

Read first and second times and referred to the Committee on State and County Revenue, and ordered printed.

By Mr. Comte—An Act to authorize the State Controller to issue a duplicate warrant.

Read first and second times and referred to the Committee on Claims.

By Mr. Fowler—An Act concerning the taxation of live stock.

Read first and second times and referred to the Judiciary Committee.

REPORT.

Mr. Farley verbally reported a substitute for Assembly Bill No. 171, and recommended the passage of the substitute.

On motion of Mr. Farley, the rules were suspended, and substitute for Assembly Bill No. 171, above reported, was adopted, read a third time and passed.

[President pro tem in the chair.]

GENERAL FILE.

Senate Bill No. 256—An Act to encourage silk culture and manufacture.

Upon ordering the bill engrossed, the ayes and noes were demanded by Messrs. Larkin, Maclay, and Banvard, and the Senate refused by the following vote:

AYES—Messrs. Boucher, Duffy, Finney, Kent, and Maclay—5.

NOES—Messrs. Banvard, Beck, Boggs, Comte, Crane, Dyer, Evans, Farley, Fowler, Goodale, Gwin, Hatchings, Irwin, Keys, Larkin, McCoy, McMurry, Minis, O'Connor, Oulton, Perkins, Turner, Tuttle, Van Ness, Wand, Wilson, and Wing—27.

Assembly Bill No. 418—An Act to legalize and confirm the election of school officers in the City of Vallejo, and other matters.

Senate refused a third reading.

[Mr. O'Connor in the chair.]

SPECIAL ORDER.

Senate Bill No. 294—An Act for the relief of W. B. Norman and A. C. Bradford.

Upon the adoption of the report of the Committee on Claims recommending that the bill do not pass, the ayes and noes were demanded by Messrs. Larkin, Betge, and Farley, and the Senate so ordered by the following vote:

AYES—Messrs. Crane, Duffy, Evans, Finney, Fowler, Garratt, Goodale, Kent, Keys, Larkin, McKusick, McMurry, Minis, Neff, O'Connor, Oulton, Perkins, Tompkins, Turner, Tuttle, and Wing—21.

NOES—Messrs. Andross, Banvard, Betge, Boggs, Boucher, Comte,

Dyer, Farley, Gwin, Hutchings, Maclay, McCoy, Pendegast, Van Ness, Wand, and Wilson—16.

At one o'clock and ten minutes P. M. the Senate took a recess until two o'clock P. M.

REASSEMBLED.

Senate reassembled at two o'clock P. M.
President pro tem in the chair.
Roll called.
Quorum present.

SPECIAL ORDERS.

Consideration of Governor's message, vetoing Assembly Bill No. 273—An Act supplemental to an Act entitled an Act to authorize the County of Sonoma to donate bonds to a railroad company, and to provide for the payment of the same, approved March eighteenth, eighteen hundred and sixty-eight.

Mr. Van Ness moved to lay the whole matter on the table, upon which the ayes and noes were demanded by Messrs. Tuttle, O'Connor, and McMurry, and the Senate so ordered by the following vote:

Ayes—Messrs. Andross, Banvard, Beck, Betge, Boggs, Comte, Duffy, Dyer, Evans, Finney, Garratt, Gwin, Hutchings, Kent, Keys, Maclay, McCoy, Minis, Pendegast, Tompkins, Van Ness, Wilson, and Wing—23.

Noes—Messrs. Boucher, Crane, De Haven, Farley, Fowler, Goodale, Irwin, Larkin, McKusick, McMurry, Neff, O'Connor, Oulton, Perkins, Turner, Tuttle, and Wand—17.

Senate Bill No. 209—An Act concerning the military of the State of California.

Considered in Committee of the Whole and amended.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the Senate.

Mr. Irwin moved to amend the bill by striking out "sixty," as relates to the number of companies, and insert in lieu thereof "twenty," upon which the ayes and noes were demanded by Messrs. Larkin, Irwin, and Oulton, and the Senate refused by the following vote:

Ayes—Messrs. Banvard, Boggs, Boucher, Farley, Fowler, Goodale, Hutchings, Irwin, Larkin, McMurry, Minis, O'Connor, Oulton, Turner, Tuttle, and Wilson—16.

Noes—Messrs. Andross, Betge, Comte, Crane, Duffy, Dyer, Evans, Finney, Garratt, Gwin, Kent, Maclay, McCoy, McKusick, Neff, Pendegast, Perkins, Tompkins, Van Ness, Wand, and Wing—21.

Mr. Fowler moved to amend the bill by striking out "sixty" and inserting "twenty-five," upon which the ayes and noes were demanded by Messrs. Fowler, Larkin, and O'Connor, and the Senate refused by the following vote:

Ayes—Messrs. Banvard, Boucher, Farley, Fowler, Goodale, Hutchings,

Irwin, Larkin, McMurry, Minis, O'Connor, Oulton, Turner, Tuttle, and Wilson—15.

Noes—Messrs. Andross, Betge, Boggs, Comte, Crane, Duffy, Dyer, Evans, Finney, Garratt, Gwin, Kent, Keys, Maclay, McCoy, McKusick, Neff, Pendegast, Perkins, Tompkins, Van Ness, Wand, and Wing—23.

Mr. Irwin moved to amend the bill by striking out "sixty," and insert in lieu thereof "thirty," upon which the ayes and noes were demanded by Messrs. Larkin, Oulton, and Maclay, and the Senate so ordered by the following vote:

Ayes—Messrs. Banvard, Beek, Boggs, Boucher, Comte, Duffy, Farley, Fowler, Goodale, Gwin, Hutchings, Irwin, Keys, Larkin, McCoy, McKusick, McMurry, Minis, O'Connor, Oulton, Perkins, Turner, Tuttle, and Wilson—24.

Noes—Messrs. Andross, Betge, Crane, Dyer, Evans, Finney, Garratt, Kent, Maclay, Neff, Pendegast, Tompkins, Van Ness,, Wand, and Wing—15.

On motion of Mr. Irwin, the bill was recommitted to the Committee on Military Affairs.

[Mr. Pendegast in the chair.]

GENERAL FILE RESUMED.

Assembly Bill No. 387—An Act to enable the Board of Supervisors of Sacramento County to refund certain moneys.

The bill was read a third time, and upon the passage of the bill the ayes and noes were demanded by Messrs. Duffy, Comte, and Banvard, and the Senate refused by the following vote:

Ayes—Messrs. Banvard, Dyer, Finney, Fowler, Pendegast, Tompkins, and Wand—7.

Noes—Messrs. Beek, Boucher, Comte, Duffy, Farley, Garratt, Goodale, Irwin, McCoy, McKusick, McMurry, Neff, O'Connor, Oulton, Perkins, Tuttle, and Wilson—17.

NOTICE OF RECONSIDERATION.

Mr. Duffy gave notice that he would on to-morrow move to reconsider the vote by which the Senate refused to pass Assembly Bill No. 387.

REPORT.

Mr. Evans verbally reported Senate Bill No. 209, with the recommendation that it be indefinitely postponed.

GENERAL FILE RESUMED.

On motion of Mr. McMurry the Senate took up consideration of Senate Resolution—Relative to payment of certain newspapers.

Adopted.

Senate Resolution—Relative to payment of F. S. Lardner and others.

Adopted.

RESOLUTION.

Mr. Kent offered the following resolution:

Resolved, That when the Senate adjourns it adjourns to half past seven o'clock this evening.

Lost.

GENERAL FILE RESUMED.

Assembly Bill No. 498—An Act concerning the appointment of an Interpreter in and for the City and County of San Francisco.

Referred to the San Francisco delegation.

Assembly Bill No. 41—An Act to legalize and confirm certain ordinances passed and contracts made by the Board of Supervisors of the City and County of San Francisco relative to the removal of dead animals from the city limits.

Referred to the San Francisco delegation.

At five o'clock and fifty-five minutes P. M., on motion of Mr. O'Connor, the Senate adjourned.

J. T. FARLEY.
President pro tem.

ROBERT FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Saturday, March 16th, 1872.

Senate met pursuant to adjournment.
President pro tem in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

PETITION.

Mr. Wing presented a petition from the citizens of Inyo County, for the passage of a Trespass Law for said county.

Referred to the Committee on Agriculture.

REPORTS.

The following reports were made:

By Mr. Irwin:

Mr. PRESIDENT: Your Committee on Public Printing, to whom was referred Senate Bill No. 49—An Act to provide for the public printing in this State.

Also, Senate Bill No. 94—An Act relative to State printing.

Also, Senate Bill No. 391—An Act to define the duties and fix the compensation of the State Printer.

Also, Assembly Bill No. 311—An Act to establish a State printing office, and to create the office of Superintendent of State Printing.

Have had the same under consideration, and beg leave to report them back without recommendation.

Senate Bills Nos. 49 and 94, each provide for letting out the State printing by contract.

Senate Bill No. 391 continues the present system with reference to the State printing; but attempts to reduce and define more specifically the rates which the State Printer may charge.

Assembly Bill No. 311 provides for the establishment of a State printing office, and creates the office of Superintendent of State Printing.

Your committee report these bills back without recommendation for the reasons:

First—That they are not agreed as to which of these systems it would be best for the State to adopt.

Second—Because the adoption of the one or the other of these systems being a question of policy, the Senate is as competent as your committee to decide it.

Third—As the time fixed in each of these bills for its provisions to take effect is not till eighteen hundred and seventy five after another session of the Legislature—it is not material that any one of them pass at this time.

Your committee have also had under consideration Assembly Concurrent Resolution No. 26—Relative to printing Governor Haight's second biennial message and Governor Booth's inaugural address in Spanish—and recommend that it do pass.

Also, have had under consideration Assembly Concurrent Resolution—Relative to printing Report of Fish Commissioners—and recommend that it do not pass.

All of which is respectfully submitted.

IRWIN, Chairman.

On motion of Mr. Van Ness, the rules were suspended, and Assembly Concurrent Resolution No. 26, above reported, was adopted.

By Mr. Neff:

Mr. PRESIDENT: Your Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 372—An Act for the relief of certain parties holding property on Market street, in the City and County of San Francisco.

Also, Senate Bill No. 322—An Act to amend an Act entitled an Act to create and organize the University of California, approved March twenty-third, eighteen hundred and sixty-eight.

Also, Senate Bill No. 425—An Act to prevent hogs from running at large in the Town of Red Bluff.

Also, Senate Bill No. 371—An Act to provide for the settlement of the value of school property in the several school districts that were adjacent to the City of Stockton, and which was, by an Act of the Legislature approved January twenty sixth, eighteen hundred and seventy, included within the limits of said city.

Also, Senate Bill No. 312—An Act supplementary to and amendatory

of an Act entitled an Act to incorporate the Town of Santa Cruz, approved March thirty-first, eighteen hundred and sixty-six.

Also, Senate Bill No. 420—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two.

Also, Senate Bill No. 297—An Act to authorize the payment of Mistress Eliza McLean for supplies furnished the State Marine Hospital in the years eighteen hundred and fifty-three and eighteen hundred and fifty-four.

NEFF, for Committee.

By Mr. Perkins:

Mr. President: The Committee on Claims have had under consideration Senate Bill No. 51—An Act to compensate J. G. Jenkins for legal services rendered the State during the years eighteen hundred and sixty-eight and eighteen hundred and seventy, under the Act of Congress to quiet land titles in the State of California, approved July twenty-third, eighteen hundred and fifty-six—respectfully report the same back with a substitute therefor, and recommend the adoption of the substitute and the passage of the same.

Also, Senate Bill No. 398—An Act to provide for the payment of legal services rendered the State by Samuel Cross—and report the same back with amendments, and recommend the adoption of the amendments and the passage of the bill as amended.

PERKINS, Chairman.

By Mr. Larkin:

Mr. President: The Committee on State and County Revenue, to whom was referred Assembly Bill No 404—An Act to regulate fees of office and salaries of officers in the County of San Bernardino—have had the same under consideration, and would report the same back with amendments and recommend its passage as amended.

LARKIN, Chairman.

On motion of Mr. McCoy, the rules were suspended for the consideration of Assembly Bill No. 404, above reported.

Amendments reported by the committee adopted, bill read a third time and passed.

Mr. Fowler verbally reported Assembly Bill No. 505, and recommended that the same be referred to the Committee on Swamp and Overflowed Lands.

On motion of Mr. Fowler, Assembly Bill No. 505, above reported, was referred to the Committee on Swamp and Overflowed Lands.

By Mr. Hutchings:

Mr. President: Your Committee on Enrollment respectfully report that they have examined and find correctly enrolled Senate Bill No. 290—An Act to amend an Act entitled an Act to prevent the trespassing of animals upon private property, approved March twenty-sixth, eighteen hundred and sixty-six.

Also, Senate Bill No. 247—An Act to amend an Act entitled an Act to regulate fees and salaries of officers and defining their duties, in the

County of El Dorado, and other matters relating thereto, approved March fifth, eighteen hundred and seventy.

Also, Senate Bill No. 365—An Act to restrict the hunting or shooting of game in the County of Yolo.

Also, Senate Bill No. 255—An Act to appropriate money for the relief of John J. McCredy.

Also, Senate Bill No. 360—An Act to amend an Act entitled an Act to incorporate the Town of Brooklyn, and to define and establish the boundary line between said town and the City of Oakland, approved April fourth, eighteen hundred and seventy.

Also, Senate Bill No. 126—An Act in relation to Coroners in the County of San Francisco.

And have presented the same to the Governor for his approval, this day at eleven o'clock and forty five minutes A. M.

HUTCHINGS.

By Mr. Tompkins:

Mr. PRESIDENT: The Committee on Judiciary have had under consideration Assembly Bill No. 240—An Act for the relief of Anna Virginia Wakeman—and report the same back with a substitute therefor, and recommend the adoption of the substitute and the passage of the same.

Also, Assembly substitute for Assembly Bill No. 489—An Act supplemental to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one—and report the same back and recommend that it do not pass.

Also, Assembly Bill No. 305—An Act to provide for funding the indebtedness of the reclamation and levee districts of the State—and report the same back. The committee are of the opinion that the amendments to the bill reported back therewith should be adopted by the Senate, and so recommend, but the committee are divided in opinion as to the propriety of passing the bill even as amended, and therefore make no recommendation in relation thereto. A special report from a part of the committee is submitted herewith.

TOMPKINS, Chairman.

Mr. PRESIDENT: The undersigned, one half of the members of the Committee on Judiciary, have had under consideration Assembly Bill No. 305—An Act to provide for funding the indebtedness of the reclamation and levee districts of the State—and for themselves beg leave to report that no more important bill has been submitted for the consideration of the Legislature. The amendments that have been agreed to by the committee, if adopted by the Senate, will relieve it of some of its worst features, yet enough remain to render it, in the opinion of the undersigned, bad in principle, and likely to result most disastrously in practice. As it is a measure urged ostensibly in the interest of development, we have wished to give it our support. It is with regret, therefore, that we find ourselves compelled most earnestly to protest against its passage for the following, among many other, reasons:

The swamp and overflowed lands of the State, amounting to several millions of acres, have been given by the General Government to the State for the express purpose of securing their reclamation. In like manner, by a system well understood, the State gives the land, under certain limitations and restrictions, to those who shall reclaim it. By another Act, which we are informed has passed the Assembly, it is provided that the restrictions shall be removed and the title of the State

given to the purchaser when two dollars an acre shall have been expended thereon, whether the land is thereby reclaimed or not. By the bill now under consideration it is provided that the work of reclamation may all be done upon credit, the bonds of the district issued to an amount that may equal twenty five dollars an acre, and all moneys previously paid on assessments be paid back in these bonds to the parties who had paid the same. Thus every dollar would be refunded, the State would have lost its title, the parties holding it would have the land free from any further obligation to reclaim, and the way would be prepared to secure that vast domain to a few shrewd and bold speculators who had the ability to conceive and the courage to carry out the stupendous scheme. Thus the whole policy of the State in relation to the swamp and overflowed lands could be subverted, and the worst monopoly that has yet been attempted in the lands of the State could be carried forward to complete success.

We can now only advert to other considerations that have influenced us in arriving at the conclusion that this bill ought not to pass. It will prevent the division of the land into small farms. It will impose a specific lien upon the lands of the minority at the will of the majority, and thus be subject to all the objections that have been urged to Acts granting subsidies, and in a worse form than has ever been attempted in favor of other public improvements, inasmuch as a direct and specific encumbrance is more burdensome than a general one that is borne in common by all the lands in the country. It will place the title to all the lands in a condition analagous to the great leasehold estates out of which the well known anti-rent troubles at the East have arisen, by subjecting it to the payment of a semi annual rent for twenty years, under the name of interest. It will build up a great interest that will not find it difficult to present a plausible claim upon the State for relief from the bonds, and that we believe before many years would ask the State to assume them. We are not now prepared to say that even that would be beyond the skill that has framed and the ability that expects to pass this bill.

Want of time compels us to reserve other objections until the bill shall be before the Senate for consideration, and we can now only renew our recommendation that the bill do not pass.

TOMPKINS,
LARKIN,
DE HAVEN,
TURNER,
O'CONNOR,
Of the Committee on Judiciary.

On motion of Mr. Tuttle, the above report of the Judiciary Committee was ordered printed.

On motion of Mr. Tompkins, Assembly Bill No. 305, above reported, was ordered printed as amended.

By Mr. Duffy:

Mr. PRESIDENT: The Sacramento delegation, to whom was referred Assembly Bill No. 566—An Act for the redemption of the funded in-

debtedness of the City of Sacramento—have had the same under consideration, and report the same back with an amendment, and recommend the adoption of the amendment, and passage of the bill as amended.

COMTE.
DUFFY.

On motion of Mr. Duffy, the rules were suspended, for the consideration of Assembly Bill No. 566, above reported.

Amendment reported by the delegation adopted, bill read a third time and passed.

By Mr. Betge:

Mr. PRESIDENT: Your Committee on Commerce and Navigation having had under consideration Assembly Bill No. 358—An Act to establish pilots and pilot regulations for the Port of San Diego—report the same back and recommend its passage.

BETGE, Chairman.

On motion of Mr. Betge, the rules were suspended, and Assembly Bill No. 358, above reported, was read a third time and passed.

PETITION.

Mr. Duffy presented a petition from the managers of the Protestant Orphan Asylum of Sacramento.

Referred to the Finance Committee.

REPORTS CONTINUED.

Mr. Tuttle verbally reported Assembly Bill No. 546, and recommended that the same be referred to the Committee on Agriculture.

On motion of Mr. Tuttle, Assembly Bill No. 546, above reported, was referred to the Committee on Agriculture.

By Mr. Boggs:

Mr. PRESIDENT: The Tehama delegation, to whom was referred Assembly Bill No. 564—An Act to provide for the levying and collection of a special tax, to be used in the construction of bridges in the County of Tehama—report the same back and recommend its passage.

BOGGS, for Delegation.

Mr. McCoy verbally reported Assembly Bill No. 514, and recommended its passage.

The rules were suspended, and Assembly Bill No. 514, above reported, was read a third time and passed.

Mr. Evans verbally reported Assembly Bill No. 522, and recommended its passage.

Mr. Minis verbally reported Senate Bill No. 427, and recommended its passage.

On motion of Mr. Minis, the rules were suspended for the consideration of Senate Bill No. 427, above reported.

The rules were suspended, bill considered engrossed, read a third time and passed.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
March 15th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the fifteenth day of March, amended and adopted Senate substitute for Assembly Bill No. 220—An Act to provide for the establishment, maintenance, and protection of public roads in Sonoma County—and ask the concurrence of the Senate therein.

Also, on the same day, passed Senate Bill No. 250—An Act to reincorporate the Town of Santa Rosa.

Also, on the same day, passed Assembly Bill No. 519—An Act in relation to death penalty.

Also, on the same day, passed substitute for Assembly Bill No. 137—An Act to provide for the construction of wagon roads within the limits of the Yosemite and Big Tree grant, and to construct the same.

Also, on the same day, passed Senate Bill No. 346—An Act concerning the salary of the District Attorney of Lake County.

Also, on the same day, passed Senate Bill No. 69—An Act concerning estrays in the County of Napa.

Also, on the same day, passed Senate Bill No. 350—An Act to establish and maintain a dispensary in the City of Sacramento.

Also, on the same day, passed Senate Bill No. 270—An Act to amend an Act to prevent the destruction of fish in the waters of Napa River and Sonoma Creek.

Also, on the same day, passed Senate Bill No. 400—An Act to authorize the Board of Supervisors of Los Angeles County to locate and build bridges across the Los Angeles River and the New San Gabriel and Old San Gabriel Rivers, in Los Angeles County, and to issue bonds for the payment of the same.

BORUCK, Chief Clerk.

ASSEMBLY CHAMBER,
March 15th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the thirteenth day of March, passed Assembly Bill No. 383—An Act to provide and pay for services rendered for the City and County of San Francisco.

Also, on the same day, passed substitute for Assembly Bill No. 382—An Act to amend an Act to change the time for holding municipal elections in the City and County of San Francisco, and to define the official terms of certain officers therein mentioned, approved April second, eighteen hundred and sixty-six.

Also, on the same day, passed Assembly Bill No. 374—An Act authorizing P. Henneberry to remove certain bodies to a public graveyard.

Also, on the same day, passed Assembly Bill No. 375—An Act authorizing the Board of Supervisors of Humboldt County to provide revenue for certain purposes.

Also, on the same day, passed Assembly Bill No. 578—An Act to amend an Act entitled an Act concerning roads and highways in the Counties of Klamath and Del Norte, approved March thirty-first, eighteen hundred and sixty-six.

Also, on the same day, passed Assembly Bill No. 507—An Act amendatory of and supplemental to an Act entitled an Act concerning roads in the County of Marin, approved March thirtieth, eighteen hundred and sixty-eight.

Also, on the same day, passed Assembly Bill No. 561—An Act to authorize the Board of Supervisors of the County of Alameda to audit certain claims against the Road Fund of Washington Township, in said county.

Also, on the same day, passed Assembly Bill No. 562—An Act to amend an Act entitled an Act to amend an Act concerning roads and highways in the County of Alameda, approved March twenty-fourth, eighteen hundred and sixty two, approved March twenty-ninth, eighteen hundred and seventy.

Also, on the same day, passed Assembly Bill No. 181—An Act amendatory of and supplementary to an Act entitled an Act to authorize Robert G. Arthur, his associates or assigns, to construct and keep in repair certain roads upon the San Miguel Rancho and adjoining property, in the City and County of San Francisco, and to levy and collect toll thereon, approved April seventeenth, eighteen hundred and sixty two.

Also, on the same day, passed Assembly Bill No. 412—An Act to cede certain property to the Town of Trinidad.

Also, on the fourteenth day of March, passed Assembly Bill No. 613—An Act to add additional sections to the Political Code.

Also, on the same day, passed Senate Bill No. 291—An Act entitled an Act for the relief of Joseph S. Emery.

Also, on the fifteenth day of March, passed Senate Bill No. 336—An Act to provide for the payment of expenses incurred in the construction of the new State Armory, and for services rendered in cleaning and restoring State military property.

Also, on the same day, passed Senate Bill No. 114—An Act for the relief of G. W. Reamer and his associates.

Also, on the same day, passed Assembly Bill No. 621—An Act to authorize the Board of Supervisors of the County of San Mateo to fix the compensation of any county officers of said county for services the payment of which is not otherwise provided for by law.

BORUCK, Chief Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 519, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 383, above reported, read first and second times and referred to the San Francisco delegation.

Substitute for Assembly Bill No. 382, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 134, above reported, read first and second times and referred to the Committee on Roads and Highways.

Assembly Bill No. 574, above reported, read first and second times and ordered on file.

Assembly Bill No. 575, above reported, read first and second times and ordered on file.

Assembly Bill No. 578, above reported, read first and second times and referred to the Klamath delegation.

Assembly Bill No. 507, above reported, read first and second times and referred to the Committee on Roads and Highways.

Assembly Bill No. 561, above reported, read first and second times and referred to the Alameda delegation.

Assembly Bill No. 562, above reported, read first and second times and referred to the Alameda delegation.

Assembly Bill No. 181, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 412, above reported, read first and second times and referred to the Committee on Commerce and Navigation.

Assembly Bill No. 613, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 621, above reported, read first and second times and referred to the San Mateo delegation.

Senate Bill No. 350, above reported with amendments, referred to the Sacramento delegation.

Assembly Bill No. 220, above reported, amendments reported from the Assembly concurred in by the Senate.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Gwin—An Act to provide for the payment of general taxes in two installments, semi annually.

Read first and second times and referred to the Committee on State and County Revenue.

Also, an Act to provide for the re-issue of lost stock certificates of mining companies.

Read first and second times and referred to the Committee on Mines and Mining Interests.

By Mr. Van Ness—An Act to amend an Act entitled an Act to authorize the issuance of bonds by the County of San Luis Obispo to erect county buildings and to provide a site for the same, approved April fourth, eighteen hundred and seventy.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Pendegast—An Act concerning persons under sentence of imprisonment in the County Jail in the County of Napa.

Read first and second times and ordered on file.

By Mr. Garratt—An Act to ratify and confirm the sale of a franchise granted under and by an Act entitled an Act to authorize D. B. Northrop, Horace Cole, and E. B. Goddard, and their associates, to construct a plank road or bridge over the waters of Mission Bay, in the City and County of San Francisco, approved April eighteenth, eighteen hundred and sixty-two.

Read first and second times and referred to the Judiciary Committee.

By Mr. Tompkins—An Act to empower the Trustees of the Mountain View Cemetery Association to mortgage certain lands.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Comte—An Act supplementary to an Act creating the office of Insurance Commissioner, approved March twenty-sixth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Judiciary Committee.

RECONSIDERATION.

Pursuant to notice, Mr. Duffy moved to reconsider the vote by which the Senate on yesterday refused to pass Assembly Bill No. 387.

Mr. Comte moved to indefinitely postpone the motion to reconsider.

Upon which the ayes and noes were demanded by Messrs. Comte, Duffy, and Tuttle, and the Senate refused by the following vote:

AYES—Messrs. Beck, Boucher, Comte, Crane, Farley, Fowler, Garratt, Goodale, Irwin, McKusick, McMurry, Mann, O'Connor, Ouiton, Tuttle, and Wilson—16.

NOES—Messrs. Andross, Banvard, Berge, Boggs, De Haven, Duffy, Dyer, Evans, Hutchings, Maclay, McCoy, Neff, Pendegast, Tompkins, Van Ness, Ward, and Wing—17.

Upon the motion to reconsider, the ayes and noes were demanded by Messrs. Comte, Beck, and Fowler, and the Senate refused by the following vote:

AYES—Messrs. Andross, Banvard, De Haven, Duffy, Dyer, Evans, Hutchings, Maclay, Pendegast, Tompkins, Van Ness, and Ward—13.

NOES—Messrs. Beck, Boucher, Comte, Crane, Farley, Fowler, Garratt, Goodale, McKusick, McMurry, Mann, Neff, O'Connor, Ouiton, Tuttle, and Wilson—17.

On motion of Mr. Dyer, Assembly Bill No. 438—An Act to provide for the reclamation of the lands overflowed by the waters of Calaveras County—was made the special order for Tuesday next, at eleven o'clock and thirty minutes A. M.

SPECIAL ORDER.

Motion to reconsider Senate Bill No. 245—An Act in relation to gaming.

On motion of Mr. Morris, the special order was discharged, and made the special order for Wednesday next, at two o'clock P. M.

RESOLUTION.

By Mr. Fowler:

Resolved, That when the Senate adjourns this day, [Saturday, March sixteenth], it adjourns to meet on Tuesday next, [March nineteenth], in honor of "St. Patrick's day."

Mr. Maclay offered the following substitute for the resolution:

Resolved, That the Senate adjourn to-day at one o'clock and thirty minutes P. M., and that it adjourn to Monday next, at two o'clock and thirty minutes P. M.

Lost.

Mr. Tuttle moved to lay the whole subject matter upon the table.

Upon which the ayes and noes were demanded by Messrs. O'Connor, Larkin, and Betge, and the Senate so ordered by the following vote:

Ayes—Messrs. Andross, Banvard, Comte, Crane, Dyer, Fowler, Goodale, Larkin, Maclay, McCoy, McKusick, Neff, O'Connor, Oulton, Pendegast, Turner, Tuttle, Van Ness, Wand, and Wing—20.

Noes—Messrs. Beck, Betge, Boggs, Boucher, De Haven, Duffy, Evans, Farley, Garratt, Gwin, Hutchings, Irwin, McMurry, Minis, Perkins, Tompkins, and Wilson—17.

FURTHER INTRODUCTION OF BILLS.

By Mr. Comte—An Act for the relief of the Central Pacific Railroad Company.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Duffy—An Act to authorize suit against the Board of Supervisors of the County of Sacramento.

Read first and second times, and referred to the Judiciary Committee.

At one o'clock P. M., on motion of Mr. Pendegast, the usual daily recess was postponed for one half hour.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

Assembly Chamber,
March 16th, 1872.

Mr. President: I am directed to inform your honorable body that the Assembly, on the sixteenth day of March, passed Assembly Bill No. 633—An Act supplementary to an Act entitled an Act to provide terminal depot grounds for the Terminal Central Pacific Railway Company, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, on the same day, passed Assembly Bill No. 637—An Act supplemental to an Act entitled an Act to incorporate the City of Sacramento, approved April twenty fifth, eighteen hundred and sixty three.

Also, on the same day, passed Senate Bill No. 430—An Act to establish a Civil Code.

BORUCK, Chief Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 634, above reported, read first and second times and referred to the Sacramento delegation.

Assembly Bill No. 633, above reported, read first and second times, rules suspended, bill read a third time and passed.

On motion of Mr. Garratt, Assembly Bill No. 453—An Act granting certain privileges to the North Beach and Mission Railroad Company—was taken from the file and referred to the San Francisco delegation.

RESOLUTION.

By Mr. McKusick:

Resolved, That when the Senate adjourns to-day it adjourns to meet on Monday, March eighteenth, at two o'clock and thirty minutes P. M.

Upon the adoption of the resolution, the ayes and noes were demanded by Messrs. O'Connor, Fowler, and Larkin, and the Senate so ordered by the following vote:

AYES—Messrs. Banvard, Beck, Betge, Boggs, Comte, Crane, Evans, Fowler, Goodale, Gwin, Hutchings, Irwin, Mackay, McCoy, McKusick, McMurry, Mims, Neff, O'Connor, Oulton, Pendegast, Perkins, Tompkins, Tuttle, Van Ness, Wilson, and Wing—27.

NOES—Messrs. Duffy, Farley, Larkin, Turner, and Wand—5.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 15th, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 321—An Act to amend an Act entitled an Act to authorize the issuance of bonds by the County of San Luis Obispo to erect county buildings, and to provide a site for the same, approved April fourth, eighteen hundred and seventy.

Also, Senate Bill No. 349—An Act concerning a certain road in the County of Sierra.

Also, Senate Bill No. 207—An Act to amend an Act entitled an Act to abolish the office of Public Administrator in and for the Counties of Tuolumne and Santa Barbara, approved April eighteenth, eighteen hundred and fifty-nine.

Also, Senate Bill No. 52—An Act to punish adultery.

Also, Senate Bill No. 345—An Act to fix the salary of the members of the Board of Supervisors of the County of Trinity.

Also, Senate Bill No. 309—An Act to provide for the payment of deficiency in the State Prison appropriation for the twenty third fiscal year, ending June thirtieth, eighteen hundred and seventy two.

Also, Senate Bill No. 279—An Act to amend an Act entitled an Act to fix the compensation of officers, to provide for funding the floating debt of the County of Santa Barbara, and prohibit the contracting of any new indebtedness against said county, approved April fourth, eighteen hundred and sixty-four.

Also, Senate Bill No. 310—An Act concerning service of summons upon absent defendants by publication.

Also, Senate Bill No. 217—An Act to amend an Act entitled an Act to provide for the funding of the indebtedness of the County of San Luis Obispo outstanding on the first day of July, eighteen hundred and sixty-three, approved March sixth, eighteen hundred and sixty-three.

NEWTON BOOTH, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 16th, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 402—An Act to put into immediate effect certain parts of the Political and Penal Codes.

Also, Senate Bill No. 290—An Act to amend an Act entitled an Act to protect agriculture, and to prevent the trespassing of animals upon private property, approved March twenty sixth, eighteen hundred and sixty-six.

Also, Senate Bill No. 247—An Act to amend an Act entitled an Act to regulate the fees and salaries of officers, and defining their duties, in the County of El Dorado, and other matters relating thereto, approved March fifth, eighteen hundred and seventy.

Also, Senate Bill No. 365—An Act to restrict the hunting or shooting of game in the County of Yolo.

Also, Senate Bill No. 255—An Act for the relief of John J. McCredy.

Also, Senate Bill No. 360—An Act to amend an Act entitled an Act to incorporate the Town of Brooklyn, and to define and to establish the boundary line between said town and the City of Oakland, approved April fourth, eighteen hundred and seventy.

Also, Senate Bill No. 126—An Act in relation to Coroners in the City and County of San Francisco.

Also, Senate Bill No. 339—An Act authorizing the transcribing of certain records in the County of San Luis Obispo.

Also, Senate Bill No. 265—An Act supplementary to an Act entitled an Act defining the time for commencing civil actions, passed April twenty-second, eighteen hundred and fifty.

Also, Senate Bill No. 223—An Act providing for the appointment of a Reporter in the First Judicial District of this State.

Also, Senate Bill No. 185—An Act to amend an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, Senate Bill No. 353—An Act to provide for the election of a Treasurer and Collector for the County of El Dorado, and to fix their compensation.

Also, Senate Bill No. 196—An Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one.

Also, Senate Bill No. 165—An Act to provide for the condemnation of lands for road purposes in the County of Santa Cruz.

NEWTON BOOTH, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 16th, 1872.

To the Senate of the State of California:

Senate Bill No. 99—An Act concerning corporations—is herewith respectfully returned to your honorable body without my approval.

The object of the first section of the bill is to cure all defects in the organization of any corporation in this State prior to the filing of the certificate in the office of the Secretary of State.

The object of the second section is to cure any defects or irregularities in the certificate of incorporation, or the affidavit required by law of any company claiming in good faith to be a corporation under such certificate, and which has been, since the filing of the certificate, or may hereafter be, consolidated with any other corporation under any law of this State authorizing the consolidation of corporations.

The fourth section exempts the Stockton and Visalia Railroad Company and the Stockton and Copperopolis Railroad Company from all the provisions of the Act.

While sections one and two do not prohibit, in terms, an inquiry into the validity or incorporations, their effect would be to give validity to all companies claiming to be corporations, unless fraud could be affirmatively shown. Whatever may be thought of the constitutionality of the provisions, whose probable effect would be to give validity to corporations that would otherwise have no legal existence, or of the policy of so sweeping an act of amnesty, while the general law makes the formation of corporations so easy and prescribes no conditions not deemed necessary for the security of the public—the fourth section, exempting two companies by name from the operation of the Act, is, to my mind, clearly in conflict with that provision of the constitution which says, "All laws of a general nature shall have a uniform operation."

Acts are not unfrequently passed and certain counties excepted from their operation, making laws local which would otherwise be general. There have been Acts to meet special cases, as statutes authorizing the sale of property of minors—the settlement of estates—change of name—and in one instance in this State, change of venue. But I know of none where certain specified cases, individuals or companies, are excepted from the provisions of a general law.

Suppose the first three sections of this bill had been passed as a remedial statute, constitutional in themselves and justified by general policy (and their enactment presumes these propositions), would it be competent for the Legislature to single out two companies by name and debar them from benefits and privileges guaranteed to all others in similar condition? Yet this is precisely the effect of the present Act.

In Lewis vs. Webb (3 Greenl., 326), the Court says: "On principle it can never be within the bounds of legitimate legislation to enact a special law, or pass a resolve, dispensing with the general law in a particular case, and granting a privilege and indulgence to one man by way of exemption from the operation and effect of such general law, leaving all other persons under its operation. Such a law is neither just nor reasonable in its consequences. It is our boast that we live under a government of laws, and not of men; but this can hardly be deemed a blessing unless those laws have for their immovable basis the great principles of constitutional equality. Can it be supposed for a moment that, if the Legislature should pass a general law and add a section by way of proviso, that it never should be construed to have any operation or effect upon the persons, rights, or property of Archelaus Lewis or John Gordon, such a proviso would receive the sanction, or even the countenance of a Court of law?"

And in The People ex rel. Smith (17 Cal.), our own Supreme Court say: "The language must be carefully noted. It is not that all laws shall be universal or general in their application to the same subjects,

nor is it even that all 'laws of a general nature' shall be universal or general in their application to such subjects; but the expression is, that these laws 'of a general nature' shall be 'uniform in their operation.' That is, that such laws shall bear equally, in their burdens and benefits, upon persons standing in the same category."

I am aware that the first three sections of the Act under consideration might be held constitutional, and the fourth one not; but the insertion of the proviso is evidence that the Legislature desire the bill considered as an entirety, and contemplated its effect as a whole.

The recognized necessity of making an exception by name suggests a strong argument against the policy of the bill.

NEWTON BOOTH, Governor.

On motion of Mr. Tompkins, the consideration of the message of the Governor, returning without his approval Senate Bill No. 99, was laid on the table.

At one o'clock and twenty minutes P. M., on motion of Mr. Gwin, the Senate adjourned.

J. T. FARLEY,
President pro tem.

ROBERT FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Monday, March 18th, 1872.

Senate met pursuant to adjournment.
President pro tem in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of Saturday read and approved.

LEAVE OF ABSENCE.

Messrs. Finney, Garratt, and Perkins were granted leave of absence for one day.

PETITIONS.

Mr. O'Connor presented a petition from citizens of Nevada County in favor of the Tramway Bill.

Referred to the Nevada and Placer delegations.

Mr. Tuttle presented a petition from citizens of Sonoma County for the passage of the bill for the reincorporation of the City of Petaluma.

Referred to the Judiciary Committee.

Mr. Pendegast presented the following:

NEW YORK, March 18th, 1872.

To Messrs. CREED HAYMOND, JOHN C. BURCH, AND CHARLES LINDLEY, *Commissioners for Revision of Laws of California:*

All honor to you for your great work accomplished. It will be the boast of California that, first of English speaking States, she set the example of written laws as the necessary complement of a written Constitution for a free people.

DAVID DUDLEY FIELD.

REPORTS.

Reports were made as follows:

By Mr. Evans:

Mr. PRESIDENT: The San Joaquin delegation, to whom was referred Assembly Bill No. 555—An Act to regulate the salaries and fix the compensation of the county officers of San Joaquin County—have had the same under consideration, and after due examination, although of the opinion that the salaries of some of the officers named in the bill are fixed at too low a rate commensurate with the duties imposed and the bonds required, still, in consideration of the fact that a change should be made from the present system and that the session is so near to a close that by amending the bill now and sending it back to the Assembly for concurrence the whole proposed change might be endangered, the bill is reported back with a recommendation that it do pass.

EVANS, for Delegation.

By Mr. Hutchings:

Mr. PRESIDENT: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 387—An Act concerning the office of Secretary of the Fire Department of the City of Sacramento.

Also, Senate Bill No. 352—An Act amendatory of and supplementary to an Act entitled an Act to reincorporate the City of Placerville and extend the limits thereof, approved April sixth, eighteen hundred and sixty three.

Also, Senate Bill No. 388—An Act to authorize the transfer of the Indian Fund of Siskiyou County to the School Fund of the county.

Also, Senate Bill No. 264—An Act concerning the San Diego and Gila Southern Pacific and Atlantic Railroad Company, and to extend the time of performing certain acts.

Also, Senate Bill No. 296—An Act to amend an Act entitled an Act concerning roads and highways in the County of San Mateo, approved March twenty-fifth, eighteen hundred and sixty-eight.

Also, Senate Bill No. 405—An Act to provide for the opening of Santa Clara and Saratoga Avenue, in the County of Santa Clara.

Also, Senate Bill No. 219—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers in the County of San Luis Obispo, approved March twenty-ninth, eighteen hundred and seventy.

Also, Senate Bill No. 404—An Act authorizing certain persons to improve a portion of King's River, and to erect booms thereon.

And have presented the same to the Governor for his signature this day at twelve o'clock and twenty minutes P. M.

HUTCHINGS.

By Mr. Betge:

Mr. PRESIDENT: The Committee on Commerce and Navigation, to whom was referred Senate Bill No. 424—An Act supplemental to an Act entitled an Act to survey and dispose of certain salt marsh and tide lands belonging to the State of California, approved March thirtieth, eighteen hundred and sixty-eight, and an Act supplementary and amendatory thereof, approved April first, eighteen hundred and seventy—have had the same under consideration, and a majority thereof report the same back and recommend its passage.

BETGE, for Majority.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 18th, 1872.

To the Senate of the State of California:

I hereby nominate John F. Swift, of the City of San Francisco, a Regent of the University of California, vice John T. Doyle, term expired, and respectfully ask your honorable body to confirm the same; commission to take effect March nineteenth, eighteen hundred and seventy-two.

NEWTON BOOTH, Governor.

CONSIDERATION OF GOVERNOR'S MESSAGE.

The Senate went into executive session for the consideration of the message; and, upon the question, "Will the Senate advise and consent to the appointment of John F. Swift as Regent of the University?" the roll was called with the following result:

AYES—Messrs. Banyard, Boucher, Comte, Crane, De Haven, Dyer, Evans, Farley, Goodale, Hutchings, Irwin, Kent, Keys, Larkin, McCoy, McKusick, Minis, Neff, O'Connor, Oulton, Tuttle, Van Ness, Wand, and Wing—24.

NOES—None.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Irwin—An Act to authorize a special tax in Siskiyou and Klamath Counties, for the construction of a wagon road from Scott Valley, in Siskiyou County, to Sawyer's Bar, in Klamath County.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Wing—An Act to protect growing crops and grain in the County of Inyo.

Read first and second times, and referred to the Committee on Agriculture.

By Mr. Turner—An Act to protect fish in the waters of Sierra and Plumas Counties.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Mackay—An Act to authorize Charles Lyndall to sell and convey real estate.

Read first and second times, and referred to the Judiciary Committee.

By Mr. McMurry—An Act to amend an Act to regulate the rights of owners of mines, approved April first, eighteen hundred and seventy.

Read first and second times, and referred to the Committee on Mines and Mining Interests.

RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Minis:

Resolved by the Senate, the Assembly concurring, That the sum of fifty dollars be allowed to S. C. Denson, and the sum of one hundred and twenty-five dollars to E. H. Pomeroy, for services rendered to the joint committee to ascertain and determine the Indian war indebtedness of the State, payable one half out of the Contingent Fund of the Senate, and one half out of the Contingent Fund of the Assembly.

Rules suspended and the motion adopted.

By Mr. Oulton:

Resolved, That the Committee on Enrollment be and are hereby authorized to dispense with actual enrollment in the case of Senate Bill No. 430—An Act to establish a Civil Code—and that said bill may be presented to the presiding officers of the Senate and Assembly for their signatures, and to the Governor for his approval, in the same form, as to engrossment and enrollment, in which it was passed by the Senate and Assembly.

Adopted.

GENERAL FILE.

Assembly Bill No. 354—An Act to submit the question of the removal of the county seat of Kern County to the qualified electors of said county.

The bill was read a third time, and upon the passage of the bill the ayes and noes were demanded by Messrs. Larkin, Fowler, and Irwin, and the Senate refused by the following vote:

Ayes—Messrs. Andross, Boucher, Comte, Crane, Evans, Goodale, Kent, Oulton, Tompkins, and Turner—10.

Noes—Messrs. Banvard, Betge, De Haven, Farley, Fowler, Hutchings, Irwin, Keys, Larkin, McCoy, McKusick, McMurry, Minis, Neff, O'Connor, Pendegast, Tuttle, Van Ness, and Wand—19.

Senate Bill No. 361—An Act to provide a system of common schools. Ordered at top of file for to-morrow.

Assembly Bill No. 434—An Act to provide for finishing the State Normal School building, and paying the indebtedness incurred in the construction thereof.

Passed on file.

Assembly Bill No. 113—An Act for the relief of D. B. Akey.

Indefinitely postponed.

Assembly Bill No. 545—An Act to amend an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties of this State, and to provide for a bounty for the same, approved March sixteenth, eighteen hundred and seventy.

Read a third time and passed.

Assembly Bill No. 528—An Act to authorize C. C. Bush, late County Judge of Shasta County, to execute a certain deed for town lands.

Report of the Judiciary Committee, recommending that the bill do not pass, was adopted.

Assembly Bill No. 376—An Act entitled an Act appropriating funds to enlarge the Home for the Care of the Inebriate, located in the City and County of San Francisco.

Report of the San Francisco delegation, recommending that the bill do not pass, was adopted.

[Mr. O'Connor in the chair.]

Mr. Pendegast gave notice that he would on to-morrow move to reconsider the vote by which the Senate refused to pass Assembly Bill No. 354—An Act to submit the question of the removal of the county seat of Kern County to the qualified electors of said county.

Assembly Bill No. 121—An Act supplemental to an Act concerning corporations, passed April twenty second, eighteen hundred and fifty.

Ordered to be considered in Committee of the Whole, and ordered to be placed second on file for to-morrow.

At six o'clock and fifteen minutes P. M., on motion of Mr. Fowler, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Tuesday, March 19th, 1872.

Senate met pursuant to adjournment.
President pro tem in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

REPORTS.

Reports were made as follows:

By Mr. Tompkins:

Mr. PRESIDENT: The Committee on Judiciary have had under consideration Senate Bill No. 19—An Act to cede certain lands to the City of San Diego.

Also, Assembly substitute for Assembly Bill No. 99—An Act prescribing what shall constitute a lawful and exclusive trade mark or trade name, and defining what shall be deemed an infringement thereof, and providing for the due regulation and protection of such trade marks and trade names, and further repealing all Acts and amendments to the same heretofore enacted concerning trade marks and trade names.

Also, Assembly Bill No. 499—An Act authorizing Sheriffs and Constables to wear a badge of office.

Also, Senate Bill No. 440—An Act supplementary to an Act creating the office of Insurance Commissioner, approved March twenty sixth, eighteen hundred and sixty-eight.

Also, Senate Bill No. 446—An Act to authorize Charles Lindall to sell and convey real estate.

Also, Assembly Bill No. 519—An Act in relation to the death penalty.

And report the same back and recommend that they do not pass.

Also, have had under consideration Senate Bill No. 433—An Act concerning the taxation of live stock—and report the same back and recommend that it do not pass, on the grounds that, according to the decisions of the Courts, it is not within the power of the Legislature to exempt any property found within the limits of the State from taxation.

Also, have had under consideration Senate Bill No. 59—An Act to legalize the assessment of taxes for the years eighteen hundred and sixty-nine, eighteen hundred and seventy, and eighteen hundred and seventy one in the County of Sierra—and report the same back with a substitute therefor, offered by the author of the bill. The committee recommend the adoption of the substitute in lieu of the bill, but as to the propriety of passing the same make no recommendation.

Also, have had under consideration Senate Bill No. 415—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Also, Senate Bill No. 429—An Act to amend an Act entitled an Act to grant Guillermo Carillo and his assigns the right to supply the inhabitants of the Town of Santa Barbara with fresh water, approved May third, eighteen hundred and sixty-one.

And report the same back and recommend their passage.

Also, have had under consideration Assembly substitute for Assembly Bill No. 212—An Act to amend an Act approved March thirty first, eighteen hundred and seventy, entitled an Act supplementary to and amendatory of an Act entitled an Act to authorize the Boards of Supervisors of the several counties of this State to grant the right to construct wharves on the overflowed and submerged lands of this State, approved April eighth, eighteen hundred and fifty-eight.

Also, Senate Bill No. 428—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty ninth, eighteen hundred and fifty one.

Also, Senate Bill No. 438—An Act to ratify and confirm the sale of a franchise granted under and by an Act entitled an Act to authorize D. B. Northrop, Horace Cole, and E. B. Goddard, and their associates, to construct a plank road or bridge over the waters of Mission Bay, in the City and County of San Francisco, approved April eighteenth, eighteen hundred and sixty two; and an Act amendatory thereof approved April twenty-fourth, eighteen hundred and sixty three, and an Act amendatory thereof approved April fourth, eighteen hundred and sixty-four.

Also, Senate Bill No. 442—An Act to authorize suit against the Board of Supervisors of the County of Sacramento.

Also, Senate Bill No. 445—An Act to protect fish in the waters of Sierra and Plumas Counties.

And report the same back with amendments to each bill, and recommend the adoption of the amendments and the passage of the several bills as amended.

Also, have had under consideration Assembly substitute for Assembly Bill No. 344—An Act regulating the rights of property of married women—and report the same back with amendments, and unanimously recommend the adoption of the amendments, and a majority of the committee recommend the passage of the bill as amended.

TOMPKINS, Chairman.

By Mr. Irwin:

Mr. PRESIDENT: Your Committee on Elections have had under consideration Senate Bill No. 63—An Act to protect the voters of this State.

Also, Senate Bill No. 93—An Act in relation to the election of members of the Senate and Assembly—and now report the same back, and recommend that they do not pass.

IRWIN, Chairman.

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 436—An Act to amend an Act entitled an Act to authorize the issuance of bonds by the County of San Luis Obispo, to erect county buildings, and to provide a site for the same, approved April fourth, eighteen hundred and seventy.

Also, Senate Bill No. 367—An Act to empower the City of Stockton to fund its school debt, and for school purposes.

Also, Senate Bill No. 427—An Act in regard to Washington Drainage District of Yolo County.

Also, Senate Bill No. 439—An Act to empower the Trustees of Mountain View Cemetery Association to mortgage a portion of the lands belonging to such association.

NEFF, for Committee.

By Mr. Maclay:

From the Committee on Corporations, upon Senate Bill No. 5.

The reading of the report was dispensed with and ordered printed.

(For report see Appendix.)

Mr. Minis verbally reported Senate Bill No. 413, and recommended its passage.

Mr. De Haven verbally reported Assembly Bill No. 578, and recommended its passage.

Mr. Comte verbally reported Senate Bill No. 350, with the recommendation that the Senate concur in the Assembly amendments.

On motion of Mr. Comte, Assembly amendments to Senate Bill No. 350, were concurred in.

By Mr. Tompkins:

Mr. PRESIDENT: The Alameda delegation, to whom was referred Assem-

bly Bill No. 561—An Act to authorize the Board of Supervisors of the County of Alameda to audit certain claims against the Road Fund of Washington Township, in said county.

Also, Assembly Bill No. 562—An Act to amend an Act entitled an Act to amend an Act concerning roads and highways in the County of Alameda, approved March twenty-fourth, eighteen hundred and sixty-two, approved March twenty-ninth, eighteen hundred and seventy.

Have considered the same and now report them back with amendments, and recommend the adoption of the amendments and the passage as amended of each of said bills.

TOMPKINS, for Delegation.

On motion of Mr. Tompkins, the rules were suspended for the consideration of Assembly Bills Nos. 561 and 562, above reported.

Amendments reported to Assembly Bill No. 561, above reported, were adopted, bill read a third time and passed.

Amendments reported to Assembly Bill No. 562, above reported, were adopted, bill read a third time and passed.

Mr. O'Connor verbally reported Senate Bill No. 435, and recommended its reference to the Judiciary Committee.

The bill was so referred.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 18th, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 388—An Act to authorize the transfer of the Indian Fund of Siskiyou County to the School Fund of the county.

Also, Senate Bill No. 405—An Act to provide for the opening and improving of Santa Clara and Saratoga Avenue, in the County of Santa Clara.

Also, Senate Bill No. 404—An Act authorizing certain persons to improve a portion of King's River, and to erect booms thereon.

NEWTON BOOTH, Governor.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
March 18th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the fourteenth instant, concurred in Senate amendment to Senate Bill No. 61—An Act to repeal an Act entitled an Act to empower the Boards of Supervisors of the several counties of the State to aid in the construction of a railroad in their respective counties, approved April fourth, eighteen hundred and seventy.

Also, on March thirteenth, passed Assembly Bill No. 580—An Act to authorize the Board of Supervisors of Plumas County to complete the Red Clover Valley Wagon Road.

Also, on the same day, passed Assembly Bill No. 568—An Act to provide for a street railroad in the Town and County of Napa, State of California.

Also, on the same day, passed Assembly Bill No. 582—An Act to authorize the Board of Supervisors of Trinity County to levy a special tax for surveying purposes.

Also, on the same day, passed Assembly Bill No. 594—An Act to fix the salary of the District Attorney of Plumas County.

Also, on the same day, passed Assembly Bill No. 598—An Act authorizing the Board of Supervisors of the City and County of San Francisco to provide suitable rooms, attendants, fuel, lights, and stationery for the Third and Nineteenth District Courts, in and for the City and County of San Francisco and the County of Alameda.

Also, on the fourteenth day of March, passed Assembly Bill No. 600—An Act supplementary to the Act of April twenty fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento.

Also, on the same day, passed Assembly Bill No. 570—An Act to restore the Great Register of the County of Sutter.

Also, on the same day, passed Assembly Bill No. 591—An Act to adjust the accounts of Swamp Land District Number Eighteen, in the Counties of Yolo and Solano.

Also, on the same day, passed Assembly Bill No. 595—An Act supplementary to the Act of April twenty fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento.

Also, on the sixteenth day of March, passed Assembly Bill No. 635—An Act relating to the salary and duties of the Assessor of Tehama County.

Also, on the same day, passed Assembly Bill No. 538—An Act to prohibit the hunting or shooting of game within certain private grounds in the County of Butte.

Also, on the same day, passed substitute for Assembly Bill No. 171—An Act to authorize the payment to James Carroll of his unpaid salary as Supervisor of Amador County.

Also, on the same day, indefinitely postponed Senate Bill No. 104—An Act to provide for the payment of certain witnesses in the case of The People vs. Horace Smith.

I am also directed to inform your honorable body that the House refused to recede from its amendments to Assembly Bill No. 11—An Act to amend an Act entitled an Act to consolidate certain school districts of the Counties of El Dorado and Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three.

BORUCK, Chief Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 580, above reported, read first and second times and referred to the Committee on Roads and Highways.

Assembly Bill No. 568, above reported, read first and second times and referred to the Napa delegation.

Assembly Bill No. 582, above reported, read first and second times and referred to the Committee on Counties and County Boundaries.

Assembly Bill No. 594, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 598, above reported, read first and second times and referred to the Alameda and San Francisco delegation.

Assembly Bill No. 600, above reported, read first and second times and referred to the Sacramento delegation.

Assembly Bill No. 570, above reported, read first and second times and referred to the Committee on Elections.

Substitute for Assembly Bill No. 591, above reported, read first and second times and referred to the Committee on Swamp and Overflowed Lands.

Assembly Bill No. 595, above reported, read first and second times and referred to the Sacramento delegation.

Assembly Bill No. 635, above reported, read first and second times and referred to the Tehama delegation.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. De Haven—An Act concerning the office of Sheriff of Humboldt County.

Read first and second times and ordered on file.

MOTION.

On motion of Mr. Maclay, Assembly Bill No. 315 was taken from the table, read a third time and passed.

FURTHER INTRODUCTION OF BILLS.

Mr. Garratt had leave to introduce the following bill:

An Act for the relief of John J. Conlin.

Read first and second times and referred to the San Francisco delegation.

GENERAL FILE.

Senate Bill No. 361—An Act to provide a system of common schools.

The bill was further considered in Committee of the Whole and amended.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the Senate.

Rules suspended, bill considered engrossed, read a third time and passed.

GENERAL FILE RESUMED.

Assembly Bill No. 121—An Act supplemental to an Act entitled an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty.

Mr. Oulton moved to refer the bill to the Judiciary Committee, upon which the ayes and noes were demanded by Messrs. Oulton, Larkin, and Duffy, and the Senate refused by the following vote:

Ayes—Messrs. Andross, Beck, De Haven, Finney, Garratt, Goodale, Gwin, Irwin, Keys, Oulton, Tompkins, and Van Ness—12.

Noes—Messrs. Banvard, Betge, Boggs, Boucher, Comte, Crane, Duffy, Dyer, Evans, Farley, Fowler, Hutchings, Kent, Larkin, Maclay, McCoy, McKusick, McMurry, Minis, Neff, O'Connor, Perkins, Turner, Wand, Wilson, and Wing—26.

Mr. Oulton offered the following amendment: Amend section three, line two, by striking out "majority" and inserting in lieu thereof "two thirds."

Upon the adoption of the amendment, the ayes and noes were demanded by Messrs. Larkin, Duffy, and Minis, and the Senate refused by the following vote:

Ayes—Messrs. Crane, Dyer, Finney, Garratt, Goodale, Gwin, Irwin, Keys, Oulton, Tompkins, Tuttle, and Van Ness—12.

Noes—Messrs. Andross, Banvard, Beck, Betge, Boggs, Boucher, Comte, Duffy, Evans, Farley, Fowler, Hutchings, Kent, Larkin, Maclay, McCoy, McKusick, McMurry, Minis, Neff, O'Connor, Perkins, Turner, Wand, Wilson, and Wing—26.

The bill was read a third time and passed.

Assembly Bill No. 434—An Act to provide for finishing the State Normal School building and paying the indebtedness incurred in the construction thereof.

Senate refused to recede from its amendments.

Substitute for Assembly Bill No. 281—An Act to amend an Act to provide revenue for the support of the government of this State, approved April twenty-ninth, eighteen hundred and fifty-seven.

Report of the Committee on State and County Revenue, recommending that the bill do not pass, was adopted.

Senate Bill No. 324—An Act concerning actions for libel.

Pending the consideration of the bill, the Senate, at one o'clock P. M., took a recess for one hour.

REASSEMBLED.

Senate reassembled at two o'clock P. M.

President pro tem in the chair.

Roll called.

Quorum present.

Senate resumed consideration of Assembly Bill No. 324—An Act concerning actions for libel.

Upon the adoption of the report of the Judiciary Committee, recommending that the bill do not pass, the ayes and noes were demanded by Messrs. Larkin, Evans, and McKusick, and the Senate refused by the following vote:

Ayes—Messrs. Banvard, Boucher, Farley, Fowler, Gwin, Irwin, Larkin, McCoy, McKusick, McMurry, O'Connor, Tompkins, Turner, and Tuttle—14.

Noes—Messrs. Andross, Beck, Betge, Boggs, Comte, Crane, Duffy, Dyer, Evans, Finney, Goodale, Hutchings, Kent, Keys, Maclay, Minis, Neff, Oulton, Pendegast, Perkins, Wand, Wilson, and Wing—23.

Upon the passage of the bill, the ayes and noes were demanded by

Messrs. Larkin, Minis, and Evans, and the Senate so ordered by the following vote:

Ayes—Messrs. Andross, Beck, Beige, Boggs, Comte, Crane, Duffy, Dyer, Evans, Finney, Goodale, Hutchings, Irwin, Kent, Keys, Maclay, Minis, Neff, Oulton, Pendegast, Perkins, Ward, Wilson, and Wing—24.

Noes—Messrs. Banyard, Boucher, Farley, Fowler, Gwin, Larkin, McCoy, McKusick, McMurry, O'Connor, Tompkins, Turner, and Tuttle—13.

The title was amended and the amendment adopted.

SPECIAL ORDER.

Assembly Bill No. 138—An Act to provide for the redemption of the bonded indebtedness of Calaveras County.

Read a third time and passed.

RECONSIDERATION.

Mr. Irwin moved to reconsider the vote by which the Senate, on yesterday, refused to pass Assembly Bill No. 354—An Act to submit the question of the removal of the county seat of Kern County to the qualified electors of said county.

Mr. Evans moved to make the motion to reconsider the special order for to-morrow at eleven o'clock A. M.

Lost.

Mr. Irwin moved to indefinitely postpone the motion to reconsider.

Upon which the ayes and noes were demanded by Messrs. Pendegast, Evans, and Comte, and the Senate refused by the following vote:

Ayes—Messrs. Banyard, Beck, De Haven, Farley, Fowler, Gwin, Hutchings, Irwin, Keys, Larkin, McCoy, McMurry, O'Connor, Perkins, Tuttle, and Wilson—16.

Noes—Messrs. Andross, Boggs, Boucher, Comte, Crane, Duffy, Dyer, Evans, Finney, Goodale, Kent, Maclay, Neff, Oulton, Pendegast, Tompkins, Turner, and Wing—18.

Upon the motion to reconsider, the ayes and noes were demanded by Messrs Larkin, Irwin, and Pendegast, and the Senate so ordered by the following vote:

Ayes—Messrs. Andross, Boggs, Boucher, Comte, Crane, Dyer, Evans, Finney, Goodale, Kent, Maclay, McCoy, Neff, Oulton, Pendegast, Tompkins, Turner, Wilson, and Wing—19.

Noes—Messrs. Banyard, Beck, Farley, Fowler, Gwin, Hutchings, Irwin, Keys, Larkin, McMurry, Minis, O'Connor, Perkins, Tuttle, Van Ness, and Ward—16.

Upon the passage of the bill, the ayes and noes were demanded by Messrs. Pendegast, Fowler, and Irwin, and the Senate so ordered by the following vote:

Ayes—Messrs. Andross, Boggs, Boucher, Comte, Crane, Dyer, Evans, Finney, Goodale, Gwin, Kent, Maclay, McCoy, Neff, Oulton, Pendegast, Tompkins, Turner, Wilson, and Wing—20.

NOES — Messrs. Banvard, Beck, Farley, Fowler, Hutchings, Irwin, Keys, Larkin, McMurry, Minis, O'Connor, Perkins, Tuttle, Van Ness, and Wand—15.

GENERAL FILE RESUMED.

Senate Bill No. 326—An Act to promote irrigation.
Considered in Committee of the Whole and amended.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the Senate.

Mr. Fowler moved to amend the bill by exempting from its provisions Fresno, Tulare, and Kern Counties.

Mr. Minis moved to amend the amendment by exempting Yolo County.

The amendment to the amendment was adopted.

Upon the adoption of the amendment exempting Fresno, Tulare, and Kern Counties, the ayes and noes were demanded by Messrs. Larkin, Minis, and Keys, and the Senate so ordered by the following vote:

AYES—Messrs. Banvard, Beck, Boucher, Comte, Crane, Farley, Finney, Fowler, Goodale, Gwin, Hutchings, Irwin, Larkin, McKusick, McMurry, Minis, Neff, O'Connor, Perkins, Turner, Tuttle, Van Ness, Wilson, and Wing—24.

NOES—Messrs. Andross, Evans, Keys, Maclay, Oulton, Pendegast, Tompkins, and Wand—8.

The bill was ordered engrossed.

At five o'clock and twenty five minutes P. M., on motion of Mr. Comte, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Wednesday, March 20th, 1872.

Senate met pursuant to adjournment.
President pro tem in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

REPORTS.

The following reports were made:

By Mr. Banvard:

Mr. PRESIDENT: The Committee on Finance, to whom was referred

Senate Bill No. 403—An Act to appropriate money and to provide for the payment of certain equitable claims against the State—the committee being divided in opinion as to the merits of this bill, hereby report it back without recommendation.

Also, Assembly Bill No. 224—An Act for the relief of A. F. Gray, Treasurer and ex officio Tax Collector of El Dorado County—return it with a substitute, and recommend the passage of the substitute.

Also, Assembly Bill No. 187—An Act to provide for the payment of deficiency in the office of Superintendent of Public Instruction—and recommend that it be amended by striking out "four hundred" in the first line of section one, and insert "seventy-five," and recommend the passage of the bill as amended.

BANVARD, Chairman.

By Mr. Hutchings:

Mr. PRESIDENT: Your Committee on Enrollment, in accordance with a resolution of the Senate, have presented to the Governor at two o'clock Senate Bill No. 430—An Act to establish a Civil Code.

HUTCHINGS.

By Mr. Hutchings:

Mr. PRESIDENT: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 114—An Act for the relief of George W. Reamer and his associates.

Also, Senate Bill No. 291—An Act for the relief of Joseph S. Emery.

Also, Senate Bill No. 346—An Act concerning the salary of the District Attorney of Lake County.

Also, Senate Bill No. 270—An Act to amend an Act to prevent the destruction of fish in the waters of Napa River and Sonoma Creek.

Also, Senate Bill No. 336—An Act to provide for the payment of expenses incurred in the construction of new State Armory, and for services rendered in cleaning and restoring State military property.

Also, Memorial requesting relief of settlers on Suscol Rancho.

Also, Senate Bill No. 69—An Act concerning estrays in the County of Napa.

Also, Senate Bill No. 386—An Act to amend an Act entitled an Act to reincorporate the Town of San Luis Obispo, approved March fourth, eighteen hundred and seventy-two.

Also, Senate Bill No. 399—An Act to amend an Act entitled an Act to incorporate the Town of Wilmington, in the County of Los Angeles, in the State of California, approved February twentieth, eighteen hundred and seventy-two.

Also, Senate Bill No. 378—An Act in relation to the office of District Attorney of Santa Cruz County.

Also, Senate Bill No. 140—An Act to amend an Act entitled an Act for the protection of game, approved May thirteenth, eighteen hundred and fifty-four.

Also, Senate Bill No. 313—An Act relative to unpaid warrants and assessments in Reclamation District Number One Hundred and Eight.

Also Senate Bill No. 144—An Act for the relief of the Central Pacific Railroad Company.

And delivered the same to the Governor for his signature at two o'clock P. M.

HUTCHINGS.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 443—An Act entitled an Act to authorize a special tax in Siskiyou and Klamath Counties for the construction of a wagon road from Scott Valley, in Siskiyou County, to Sawyer's Bar, in Klamath County.

TUTTLE, for Committee.

By Mr. O'Connor:

Mr. PRESIDENT: The Nevada and Placer delegations, to whom was referred Senate Bill No. 370—An Act to provide for the incorporation of tramroad companies in certain counties of this State, have had the same under consideration, and beg leave to report the same back to the Senate with amendments, and recommend the passage of the bill as amended.

KENT,
O'CONNOR,
NEFF,
BANYARD,
Delegations.

On motion of Mr. O'Connor, the rules were suspended for the consideration of Senate Bill No. 370, above reported.

The amendments reported from the Judiciary Committee and Nevada and Placer delegations adopted, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Wand:

Mr. PRESIDENT: The San Francisco delegation have had the following bills under consideration, and report them back as follows:

Senate Bill No. 295—An Act to authorize the Board of Supervisors of the City and County of San Francisco to aid in the erection and construction of water works, for the supply and distribution of fresh water to the inhabitants of said city and county, and other matters relating thereto—amended, and passage recommended as amended by a majority of delegation.

Also, Senate Bill No. 288—An Act repealing Article IV of an Act entitled an Act to repeal the several charters of the City and County of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved the nineteenth of April, eighteen hundred and fifty-six, and all Acts and parts of Acts amendatory and supplementary thereof, and substituting this Act for said Article IV—amended, and passage recommended as amended.

WAND, for Delegation.

By Mr. Goodale:

Mr. PRESIDENT: The Contra Costa delegation have had under consideration Assembly Bill No. 424, and report the same back and recommend its passage.

GOODALE, for Committee.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 19th, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 352—An Act amendatory of and supplementary to an Act entitled an Act to reincorporate the City of Placerville, and extend the limits thereof, approved April sixth, eighteen hundred and sixty three.

Also, Senate Bill No. 219—An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers in the County of San Luis Obispo, approved March twenty ninth, eighteen hundred and seventy.

Also, Senate Bill No. 296—An Act to amend an Act entitled an Act concerning roads and highways in the County of San Mateo, approved March twenty-fifth, eighteen hundred and sixty-eight.

NEWTON BOOTH, Governor.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
March 19th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this nineteenth day of March, passed Senate Bill No. 141—An Act for the relief of the Central Pacific Railroad Company.

Also, on the same day, passed Senate Bill No. 312—An Act supplementary to and amendatory of an Act entitled an Act to incorporate the Town of Santa Cruz, approved March thirty first, eighteen hundred and sixty six.

Also, on the same day, passed Senate Bill No. 416—An Act making an appropriation for deficiencies for the twenty third fiscal year, ending the thirtieth day of June, eighteen hundred and seventy two.

BORUCK, Chief Clerk.

REPORT.

By Mr. Pendegast:

Mr. PRESIDENT: The Napa delegation, to whom was referred Assembly Bill No. 592—An Act to incorporate the Town of Napa City—have carefully considered the same, and now report it back to the Senate with an amendment, and respectfully recommend the adoption of the amendment and the passage of the bill as amended.

PENDEGAST, for Delegation.

On motion of Mr. Pendegast, the rules were suspended for the consideration of Assembly Bill No. 592, above reported.

Amendments reported by the delegation adopted, bill read a third time and passed.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Maclay—An Act to amend an Act entitled an Act concerning estrays and animals found running at large in the County of Santa Clara, passed April twenty seventh, eighteen hundred and sixty three.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Tompkins—An Act to amend an Act entitled an Act for the incorporation of water companies, approved April twenty second, eighteen hundred and and fifty-eight.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Beige.—An Act supplementary to an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to modify the grade of certain streets, approved March thirtieth, eighteen hundred and sixty-eight, and an Act entitled an Act amendatory of and supplemental to an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to modify the grade of certain streets, approved March thirtieth, eighteen hundred and sixty eight, approved February first, eighteen hundred and seventy, to relieve certain classes of persons from damage under certain proceedings had and contemplated under said Acts, and to provide for the more speedy payment of claims arising under the said Acts.

Read first and second times and referred to the San Francisco delegation, and ordered printed.

By Mr. Keys—An Act for the relief of persons holding certain certificates of purchase issued by the Board of Tide Land Commissioners.

Read first and second times and referred to the Finance Committee.

RESOLUTIONS.

By Mr. Neff:

Resolved by the Senate, the Assembly concurring, That a committee of three from each House be appointed to take into consideration the question of salaries of District Attorneys, and if, upon consideration, such committee deem it advisable, that it be instructed to report a bill in relation to the matter.

Adopted.

By Mr. McMurry:

Resolved, That H. Seigfried, Mail Carrier of the Senate, be and he is hereby discharged and the office declared vacant, and the Controller of State is hereby directed to issue no more warrants in his name.

Adopted.

GENERAL FILE.

Assembly Bill No. 544—An Act for the relief of J. N. Walker, former Tax Collector of Fresno County.

Read a third time and passed.

Assembly Bill No. 443—An Act to remedy duplicate payments of taxes in the City and County of San Francisco.

Report of the San Francisco delegation, recommending that the bill do not pass, was adopted.

Assembly Bill No. 509—An Act supplementary to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one.

Report of the Judiciary Committee, recommending that the bill do not pass, was adopted.

Assembly Bill No. 433—An Act in relation to homesteads.

Report of the Judiciary Committee, recommending that the bill do not pass, was adopted.

[Mr. O'Connor in the chair.]

Assembly Bill No. 554—An Act to prevent hogs from running at large in the Town of Susanville, etc.

Amended, bill read a third time and passed; title amended, and amendment to title adopted.

FURTHER INTRODUCTION OF BILLS.

Mr. Evans had leave to introduce the following bill—An Act to reincorporate the City of Stockton.

Read first and second times and referred to the Judiciary Committee.

[President pro tem in the chair.]

GENERAL FILE RESUMED.

Assembly Bill No. 384—An Act to confirm Order Number One Thousand and Four, passed by the Board of Supervisors of the City and County of San Francisco.

Read a third time and passed.

Assembly Bill No. 419—An Act amendatory of and supplementary to an Act entitled an Act to establish and define the powers and duties of the Board of Education of the City of Vallejo, approved March twenty-fifth, eighteen hundred and seventy.

Amendments reported by the Committee on Education adopted, bill read a third time and passed.

Assembly Bill No. 398—An Act to amend an Act entitled an Act to amend an Act entitled an Act to fix the compensation of the District Attorney of the County of Contra Costa, approved February ninth, eighteen hundred and sixty, approved March thirty first, eighteen hundred and sixty-six.

Read a third time and passed.

Assembly Bill No. 460—An Act to enforce the collection of license taxes.

Read a third time and passed.

Assembly Bill No. 16—An Act to provide and pay for services rendered the City and County of San Francisco.

Amendment reported by the San Francisco delegation adopted, bill read a third time and passed.

Assembly Bill No. 459—An Act to transfer to the Board of Supervisors of the City and County of San Francisco the management, control, and direction of the affairs of the Industrial School Department.

Read a third time and passed.

Assembly Bill No. 336—An Act to repeal an Act to authorize the Controller to issue duplicate warrants.

Read a third time and passed.

Substitute for Assembly Bills Nos. 213 and 284—An Act to protect agriculture, and to prevent the trespassing of animals upon private property.

Amendments reported by the Committee on Agriculture adopted.

The bill was considered in Committee of the Whole and amended.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the Senate.

At one o'clock P. M., pending the consideration of the bill, the Senate took a recess until two o'clock P. M.

REASSEMBLED.

Senate reassembled at two o'clock P. M.

President pro tem in the chair.

Roll called.

Quorum present.

GENERAL FILE RESUMED.

Senate resumed consideration of substitute for Assembly Bills Nos. 213 and 284—An Act to protect agriculture, and to prevent the trespassing of animals upon private property.

Mr. Keys moved to strike out from the counties exempted in section sixteen, Tulare, Fresno, and Kern Counties.

Upon the adoption of the amendment, the ayes and noes were demanded by Messrs. Keys, Fowler, and Larkin, and the Senate refused by the following vote:

AYES—Messrs. Banyard, Boggs, Duffy, Evans, Finney, Goodale, Keys, Maclay, Oulton, Pendegast, Tompkins, and Turner—12.

NOES—Messrs. Beck, Boucher, Comte, Crane, De Haven, Farley, Fowler, Irwin, Larkin, McCoy, McMurry, Minis, Neff, O'Connor, Perkins, Tuttle, Van Ness, Wilson, and Wing—19.

The bill was read a third time, and upon the passage of the bill the ayes and noes were demanded by Messrs. Larkin, Irwin, and Evans, and the Senate so ordered by the following vote:

AYES—Messrs. Beck, Betge, Comte, Crane, Duffy, Dyer, Evans, Farley, Finney, Goodale, Irwin, McCoy, McMurry, Neff, Oulton, Pendegast, Perkins, Tompkins, Turner, Van Ness, Wilson, and Wing—22.

NOES—Messrs. Boucher, Fowler, Larkin, Minis, O'Connor, and Tuttle—6.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
March 20th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the fourteenth day of March, passed Assembly Bill No. 612—An Act to define the duties of the District Attorney of Alameda County and to fix his compensation in certain cases.

Also, on the same day, passed Assembly Bill No. 492—An Act concerning assessments upon the stock of corporations.

Also, on the same day, passed Assembly Bill No. 567—An Act to authorize the inhabitants on the Mormon Slough, in San Joaquin County, to form a reclamation district and collect taxes therein.

Also, on the same day, passed Assembly Bill No. 536—An Act in relation to unclaimed baggage.

Also, on the same day, passed Assembly Bill No. 436—An Act to provide for the payment of certain Controller's warrants drawn upon the State Treasury.

Also, on the same day, passed Assembly Bill No. 599—An Act authorizing certain persons to improve a portion of Kern River, and to erect booms thereon.

Also, on the same day, passed Assembly Bill No. 609—An Act in relation to the Board of School Trustees of Oakley School District, in Sacramento County.

Also, on the fifteenth day of March, passed Assembly Bill No. 482—An Act to provide for the organization of an Exempt Firemen's Association in the City of Sacramento.

Also, on the same day, passed Assembly Bill No. 617—An Act extending time to the City Railroad Company.

Also, on the same day, passed Assembly Bill No. 632—An Act to authorize the inhabitants on Calaveras River and vicinity, in San Joaquin County, to form a reclamation district and to levy taxes therein.

Also, on the same day, passed Assembly Bill No. 611—An Act to prevent hunting and shooting on private grounds in the City and County of San Francisco.

Also, on the same day, passed substitute for Assembly Bill No. 588—An Act to amend an Act to protect agriculture and to prevent the trespass of animals upon private property in the County of Los Angeles, and in the County of San Diego, and part of Monterey County, approved February fourteenth, eighteen hundred and seventy-two, and to make the same applicable to the County of San Bernardino.

Also, on the same day, passed Assembly Bill No. 607—An Act to incorporate the Town of San Rafael, Marin County.

Also, on the sixteenth day of March, passed Assembly Bill No. 526—An Act in relation to moneys belonging to the State derived from taxes assessed on mortgages.

Also, on the nineteenth day of March, passed Assembly Bill No. 650—An Act to fix the terms of the County Court of the County of Monterey.

Also, on the same day, passed Assembly Bill No. 656—An Act to amend the Penal Code.

Also, on the same day, passed Assembly Joint Resolution No. 30—Relative to establishing a monthly mail between San Francisco and the Island of Tahiti.

Also, on the same day, refused to pass Senate Bill No. 366—Proposed amendment to the Constitution.

Also, on the same day, passed Senate Bill No. 254—An Act to amend an Act entitled an Act to provide for the formation of corporations for certain purposes.

Also, on the twentieth day of March, passed Assembly Bill No. 660—An Act to put into effect certain parts of the Codes and provide for their publication.

Also, on the same day, passed Senate Bill No. 414—An Act to authorize the transfer, to the General Fund, of money in other Funds of the State Treasury, and the return thereof to such Funds.

BORUCK, Chief Clerk.

ASSEMBLY CHAMBER,
March 20th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twentieth day of March, returned Assembly Bill No. 561—An Act to authorize the Board of Supervisors of the County of Alameda to audit certain claims against the Road Fund of Washington Township, in said county—the same having been sent to Assembly for correction.

Also, on the twentieth day of March, passed Senate Bill No. 125—An Act to prevent hogs from running at large in the Town of Red Bluff.

Also, on the same day, passed Senate Bill No. 419—An Act to amend an Act entitled an Act concerning public roads and highways in the Counties of Santa Cruz and San Diego, approved March second, eighteen hundred and seventy.

Also, on the same day, passed Senate Bill No. 371—An Act to provide for the settlement of the value of school property in the several school districts that were adjacent to the City of Stockton, and which was by the Act of the Legislature approved January twenty-sixth, eighteen hundred and seventy, included within the limits of said city.

Also, on the same day, receded from its amendment to Senate Bill No. 220—An Act to amend an Act entitled an Act to authorize and require the County of Santa Cruz to pay over certain school moneys to certain school districts in San Mateo County, approved March twenty-seventh, eighteen hundred and seventy.

BORUCK, Chief Clerk.

ASSEMBLY CHAMBER,
March 20th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twentieth day of March, passed Senate Bill No. 238—An Act for the correction of errors and omissions in the official proceedings relative to certain contracts for street work in the City and County of San Francisco.

Also, on the nineteenth day of March, passed Senate Bill No. 268—

An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty one.

BORUCK, Chief Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 482, above reported, read first and second times and referred to the Sacramento delegation.

Assembly Bill No. 603, above reported, read first and second times and referred to the Sacramento delegation.

Assembly Bill No. 599, above reported, read first and second times and referred to the Committee on Corporations.

Assembly Bill No. 456, above reported, read first and second times and referred to the Finance Committee.

Assembly Bill No. 536, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 612, above reported, read first and second times and referred to the Alameda delegation.

Assembly Bill No. 567, above reported, read first and second times and referred to the San Joaquin delegation.

Assembly Bill No. 607, above reported, read first and second times and referred to the Marin delegation.

Substitute for Assembly Bill No. 588, above reported, read first and second times and referred to the Committee on Agriculture.

Substitute for Assembly Bill No. 611, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 617, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 526, above reported, read first and second times and referred to the Committee on State and County Revenue.

Assembly Bill No. 559, above reported, read first and second times and referred to the Monterey delegation.

Assembly Bill No. 655, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 642, above reported, read first and second times and referred to the San Joaquin delegation.

Assembly Bill No. 660, above reported, read first and second times, rules suspended, bill read a third time and passed.

Assembly Bill No. 492, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Joint Resolution No. 39, above reported, read first and second times and referred to the Committee on Federal Relations.

REPORT.

By Mr. McMurry:

Mr. PRESIDENT: Your Committee on Enrollment have examined and find correctly enrolled Senate Bill No. 416—An Act making an appropriation for deficiencies for the twenty-third fiscal year ending the thirtieth day of June, eighteen hundred and seventy-two—and have presented the same to the Governor this day at three o'clock and forty minutes P. M.

McMURRY, for Committee.

On motion of Mr. Banyard, Assembly Bills Nos. 224 and 487 were recommitted to the Finance Committee.

SPECIAL ORDER.

Motion to reconsider Senate Bill No. 245—An Act in relation to gaming.

On motion of Mr. Minis, the special order for this day was discharged and made the special order for to-morrow, at three o'clock P. M.

GENERAL FILE RESUMED.

Assembly Bill No. 493—An Act in relation to interpreters before Grand Juries.

Read a third time and passed.

Assembly Bill No. 322—An Act extending time for payment of taxes in the County of Contra Costa.

Report of the Committee on State and County Revenue, recommending that the bill do not pass, was adopted.

Assembly Bill No. 513—An Act to authorize the Mayor of the City and County of San Francisco to convey certain lands.

Read a third time and passed.

Assembly Bill No. 516—An Act to permanently locate the county seat of the County of Monterey by the qualified electors of said county.

Passed on file.

Assembly Bill No. 480—An Act to amend an Act defining the legal distances from each county seat to the Capitol, State Prison, and Lunatic Asylum.

Read a third time and passed.

Assembly Bill No. 333—An Act in relation to the Board of Education of the City and County of San Francisco.

Passed on file.

Assembly Bill No. 458—An Act to amend an Act entitled an Act concerning roads and highways in the County of Santa Clara, approved March thirty first, eighteen hundred and sixty six, and to repeal an Act entitled an Act to amend an Act entitled an Act concerning roads and highways in the County of Santa Clara, approved March thirty first, eighteen hundred and sixty-six, approved March fourteenth, eighteen hundred and sixty-eight.

Read a third time and passed.

Assembly Bill No. 516—An Act to permanently locate the county seat of the County of Monterey by the qualified electors of said county.

Ordered at top of file for to-morrow.

Senate Bill No. 368—An Act to create the County of San Benito, etc.

Ordered second on file for to-morrow.

Senate Bill No. 355—An Act to permanently locate the county seat of Monterey County.

Ordered third on file for to-morrow.

Senate Bill No. 94—An Act relative to State printing.

Ordered fourth on file for to-morrow.

Senate Bill No. 49—An Act to provide for the public printing in this State.

Ordered fifth on file for to-morrow.

Senate Bill No. 391—An Act to define the duties and fix the compensation of the State Printer.

Ordered sixth on file for to-morrow.

Assembly Bill No. 558—An Act properly defining the boundaries of the Town of Antioch and extend the same.

Amendments reported by the Contra Costa delegation adopted, bill read a third time and passed.

Assembly Bill No. 308—An Act to increase the police force of the City and County of San Francisco.

Amendments reported by the San Francisco delegation adopted, bill read a third time and passed.

Assembly Bill No. 83—An Act to repeal an Act entitled an Act to make, open, and establish a street in San Francisco, to be called "Montgomery street South," etc.

Recommitted to the San Francisco delegation.

Assembly Bill No. 489—An Act supplemental to an Act entitled an Act to regulate the settlement of the estates of deceased persons.

Report of the Judiciary Committee, recommending that the bill do not pass, was adopted.

Assembly Bill No. 575—An Act authorizing the Board of Supervisors of Humboldt County to provide revenue for certain purposes.

Read a third time and passed.

Assembly Bill No. 216—An Act for the relief of Anna Virginia Wakeman.

Substitute reported by the Judiciary Committee adopted, bill read a third time and passed.

Assembly Bill No. 574—An Act authorizing P. Henneberry to remove certain bodies to a public graveyard.

Read a third time and passed.

Assembly Bill No. 522—An Act to empower the City of Stockton to excavate, widen, and open the Mormon Slough, and provide funds therefor.

Read a third time and passed.

Assembly Bill No. 564—An Act to provide for the levying and collection of a special tax to be used in the construction of bridges in the County of Tehama.

Read a third time and passed.

Assembly Bill No. 311—An Act to establish a State Printing Office, and to create the office of Superintendent of State Printing.

Ordered seventh on file for to-morrow.

Assembly Concurrent Resolution No. 48—Relative to printing Report of Fish Commissioners.

Report of the Committee, recommending that the resolution do not pass, was adopted.

Senate Bill No. 273—An Act to more particularly define the boundary line between San Francisco and Alameda Counties.

Laid on the table.

Senate Bill No. 139—An Act to provide for the payment of principal and interest on California Indian war bonds.

Passed on file.

Senate Bill No. 184—An Act granting the right of way and right to construct, maintain, and operate a railroad from Owens Lake to Los Angeles.

Mr. Duffy moved to indefinitely postpone the bill.

Upon which the ayes and noes were demanded by Messrs. Larkin, Duffy, and Wing, and the Senate so ordered by the following vote:

Ayes—Messrs. Banvard, Betge, Boggs, Duffy, Dyer, Evans, Farley, Finney, Goodale, Gwin, Maclay, McKusick, McMurry, Minis, Neff, O'Connor, Oulton, Perkins, Tompkins, Turner, and Wilson—21.

Noes—Messrs. Andross, Boucher, Fowler, Hutchings, Irwin, Larkin, McCoy, Tuttle, Wand, and Wing—10.

At six o'clock P. M., on motion of Mr. Larkin, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. Ferral, Secretary.

IN SENATE.

Senate Chamber,
Thursday, March 21st, 1872.

Senate met pursuant to adjournment.
President pro tem in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
The reading of the Journal was dispensed with and considered approved.

REPORTS.

Reports were made as follows:

By Mr. Comte:

Mr. President: The Committee on Roads and Highways, to whom was referred Assembly Bill No. 580—An Act to authorize the Board of Supervisors of Plumas County to complete the Red Clover Wagon Road.

Also, Assembly Bill No. 507—An Act amendatory of and supplemental to an Act entitled an Act concerning roads in the County of Marin.

Report the same back and recommend their passage.

Also, Assembly Bill No. 442—An Act to protect free bridges from injury—and recommend that the same be referred to the Committee on Judiciary.

COMTE, for Committee.

On motion of Mr. Comte, Assembly Bill No. 442, above reported, was referred to the Judiciary Committee.

Mr. Wilson verbally reported Assembly Bill No. 588, and recommended its passage.

On motion of Mr. Wilson, the rules were suspended, and Assembly Bill No. 588, above reported, was read a third time and passed.

By Mr. Perkins:

Mr. President: The Committee on Claims, to whom was referred Assembly Bill No. 488—An Act for the relief of D. Botiller—have had

the same under consideration, and respectfully report the bill back, with the recommendation that it do not pass.

Also, Assembly Bill No. 71—An Act for the relief of Presley A. Dorris. The relief sought by the claimant in this bill can be obtained through a general law passed this session. We therefore respectfully report the bill back and recommend it do not pass.

Also, Senate Bill No. 382—An Act to provide for the settlement of the claim of E. L. Brown—and report the same back, with a substitute, and recommend that the substitute be passed.

Also, Senate Bill No. 432—An Act to authorize the State Controller to issue a duplicate warrant—report the bill back and recommend its passage.

PERKINS, Chairman.

On motion of Mr. Minis, the rules were suspended for the consideration of Senate Bill No. 382, above reported.

The substitute reported by the Committee on Claims was adopted and the bill indefinitely postponed.

By Mr. Tuttle:

Mr. President: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 326—An Act entitled an Act to promote irrigation.

TUTTLE, for Committee.

By Mr. Tompkins:

Mr. President: The Committee on Judiciary have had under consideration Assembly Bill No. 594—An Act to fix the salary of the District Attorney of Plumas County.

Also, Assembly Bill No. 613—An Act to add additional sections to the Political Code.

Also, Assembly Bill No. 348—An Act amendatory of an Act entitled an Act concerning crimes and punishments.

Also, Senate Bill No. 381—An Act to enable the heirs next of kin of Thomas Spriggs, deceased, to inherit his estate.

And report the same back and recommend their passage.

Also, have had under consideration Assembly Bill No. 581—An Act to authorize the maintenance of a boom on Elk River, and to remove obstructions from said stream.

Also, Assembly Bill No. 529—An Act amendatory of an Act entitled an Act to organize and regulate the Justices' Courts of the City and County of San Francisco, approved March twenty-sixth, eighteen hundred and sixty-six.

And report the same back with amendments to each bill, and recommend the adoption of the amendments and the passage of the several bills as amended.

Also, have had under consideration Senate Bill No. 364—An Act supplementary to and amendatory of an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Also, Senate Bill No. 435—An Act to provide for reissue of lost stock certificates of mining companies.

And report the same back, and recommend that they do not pass.

Also, have had under consideration Senate Bill No. 299—An Act to

fund the Indian war indebtedness of the State—and report the same back with amendments, and recommend the adoption of the amendments.

The committee has not thought it within its province to investigate the question of the indebtedness of the State as provided to be funded in this bill, or the propriety of the passage of the bill, as the report of the joint committee of the Senate and Assembly thereon is already before the Senate, but addressed itself only to the question of the constitutionality of such finding.

If the Senate is satisfied to adopt the report of such joint committee, the Committee on Judiciary is of the opinion that there is no constitutional objection to the issuing of the bonds as provided for in the bill.

TOMPKINS, Chairman.

On motion of Mr. Tuttle, the rules were suspended for the consideration of Senate Bill No. 381, above reported.

Rules suspended, bill considered engrossed, read a third time and passed, and ordered transmitted to the Assembly.

By Mr. Wand:

Mr. PRESIDENT: The San Francisco delegation have had the following bills under consideration, and report them back as follows:

Assembly Bill No. 383—An Act to provide and pay for services rendered the City and County of San Francisco—recommend that it do not pass.

Also, Assembly Bill No. 83—An Act to repeal an Act entitled an Act to make, open, and establish a public street in the City and County of San Francisco, to be called Montgomery street South, and to take private lands therefor, approved March seventeenth, eighteen hundred and seventy, and to provide for the payment of the expenses incurred under said Act—amended and passage recommended as amended.

Also, substitute for Assembly Bill No. 382—An Act to amend an Act to change the time for holding municipal elections in the City and County of San Francisco, and to define the official terms of certain officers therein named, approved April second, eighteen hundred and sixty-six—was amended, report the same back and recommend its passage.

Also, Assembly Bill No. 105—An Act to regulate wharfage and dockage and abolish tolls in the Harbor of San Francisco—report it back and recommend that it be referred to the Committee on Commerce and Navigation.

Also, Assembly Bill No. 41—An Act to legalize and confirm certain ordinances passed and contracts made by the Board of Supervisors of the City and County of San Francisco, relative to the removal of dead animals from the city limits—passage recommended.

Also, substitute for Assembly Bill No. 498—An Act to authorize the appointment of interpreters for certain cases in the City and County of San Francisco—recommend that it do not pass.

Also, Assembly Bill No. 181—An Act amendatory of and supplementary to an Act entitled an Act to authorize Robert G. Arthur, his associates or assigns, to construct and keep in repair certain roads upon the San Miguel Ranch and adjoining property, in the City and County of San Francisco, and to levy and collect tolls thereon, approved April seventeenth, eighteen hundred and sixty-two—passage recommended.

Also, Assembly Bill No. 385—An Act to authorize the Board of State Harbor Commissioners to set apart a portion of the water front of the City and County of San Francisco for certain purposes—passage recommended.

Also, Assembly Bill No. 617—An Act extending time to the City Railroad Company—recommend that it do not pass.

Also, Assembly Bill No. 453—An Act granting certain privileges to the North Beach and Mission Railroad Company—recommend that it do not pass.

Also, Assembly Bill No. 611—An Act to prevent hunting and shooting on private grounds in the City and County of San Francisco—passage recommended.

WAND, for Delegation.

On motion of Mr. Wand, the rules were suspended for the consideration of Assembly Bill No. 83, above reported.

Amendments reported by the San Francisco delegation adopted, bill read a third time and passed; title amended and amendments adopted.

On motion of Mr. Goodale, the rules were suspended for the consideration of Assembly Bill No. 507, this day reported by the Committee on Roads and Highways.

The bill was read a third time and passed.

Assembly Bill No. 105 was referred to the Committee on Commerce and Navigation.

By Mr. Comte:

Mr. President: The Committee on Roads and Highways, to whom was referred substitute for Assembly Bill No. 134—An Act to provide for the construction of wagon roads within the limits of the Yosemite and Mariposa Big Tree grant, and to construct the same—respectfully report that they have had the same under consideration and recommend its reference to the Committee on Finance.

COMTE, for Committee.

On motion of Mr. Comte, substitute for Assembly Bill No. 134, above reported, was referred to the Finance Committee.

Mr. President: The Sacramento delegation, to whom was referred Assembly Bill No. 637—An Act entitled an Act to incorporate the City of Sacramento—beg leave to report the same back, and respectfully recommend its passage.

COMTE,
DUFFY,
Delegation.

By Mr. Boggs:

Mr. President: The Tehama delegation, to whom was referred Assembly Bill No. 635—An Act relating to the salary and duties of the Assessor of Tehama County—report the same back and recommend its passage.

BOGGS, for Delegation.

By Mr. Duffy:

Mr. President: The Sacramento delegation, to whom was referred

Assembly Bill No. 350—An Act supplementary to the Act of April twenty fifth, eighteen hundred and sixty three, entitled an Act to incorporate the City of Sacramento—respectfully report that they have had the same under consideration, and recommend its passage.

DUFFY, for Delegation.

Mr. Evans verbally reported Assembly Bill No. 632, and recommended its reference to the Judiciary Committee.

The bill was so referred.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT.
Sacramento, March 20th, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 69—An Act concerning estrays in the County of Napa.

Also, Senate Bill No. 386—An Act to amend an Act entitled an Act to reincorporate the Town of San Luis Obispo, approved March fourth, eighteen hundred and seventy-two.

Also, Senate Bill No. 140—An Act to amend an Act entitled an Act for the protection of game, approved May thirteenth, eighteen hundred and fifty four.

Also, Senate Bill No. 441—An Act for the relief of the Central Pacific Railroad Company.

Also, Senate Bill No. 270—An Act to amend an Act entitled an Act to prevent the destruction of fish in the waters of Napa River and Sonoma Creek, approved January twenty-ninth, eighteen hundred and sixty-eight.

Also, Senate Bill No. 346—An Act concerning the salary of the District Attorney of Lake County.

Also, Senate Bill No. 378—An Act in relation to the office of District Attorney in Santa Cruz County.

Also, Senate Bill No. 336—An Act to provide for the payment of expenses incurred in construction of new State Armory, and for services rendered in cleaning and restoring State military property.

NEWTON BOOTH, Governor.

REPORT.

By Mr. McMurry:

Mr. PRESIDENT: Your Committee on Enrollment have examined and find correctly enrolled Senate Bill No. 312—An Act supplementary to and amendatory of an Act entitled an Act to incorporate the Town of Santa Cruz, approved March thirty-first, eighteen hundred and sixty-six.

Also, Senate Bill No. 350—An Act to establish and maintain a dispensary in the City of Sacramento.

And have presented the same to the Governor this day, at ten o'clock and fifty minutes A. M.

McMURRY, for Committee.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Minis—An Act to amend an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Read first and second times and referred to the Committee on Swamp and Overflowed Lands.

By Mr. Maclay—An Act to encourage the production of silk in the State of California.

Read first and second times and referred to the Committee on Agriculture, and ordered printed.

By Mr. Van Ness—An Act to provide for the introduction of good and pure water into the Town of San Luis Obispo.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed and ordered transmitted to the Assembly.

By Mr. Minis—An Act entitled an Act supplementary to and amendatory of an Act entitled an Act supplementary of an Act entitled an Act to survey and dispose of certain salt marsh and tide lands belonging to the State of California, approved March thirtieth, eighteen hundred and sixty-eight, approved April first, eighteen hundred and seventy.

Read first and second times and referred to the Judiciary Committee.

By Mr. Tompkins—An Act amending certain sections of the Police Court Act of the City of Oakland.

Read first and second times and referred to the Alameda delegation.

MOTIONS, RESOLUTIONS, AND NOTICES.

On motion of Mr. Turner, Senate Bill No. 59—An Act to legalize the assessment of taxes in the years eighteen hundred and sixty-nine, eighteen hundred and seventy, and eighteen hundred and seventy-one, in the County of Sierra—was taken up from the file, rules suspended, bill considered engrossed, read a third time and passed.

On motion of Mr. Neff, Senate Bill No. 139—An Act to provide for the payment of principal and interest on California Indian war bonds—was ordered at the top of the file for to-morrow.

By Mr. Maclay:

Resolved, That the presiding officer be and he is hereby authorized to appoint a Mail Carrier, to fill the vacancy occasioned by the dismissal of H. Siegfried, at a per diem of four dollars, payable out of the Contingent Fund of the Senate.

Referred to the Committee on Contingent Expenses.

SPECIAL ORDER.

Governor's message relative to appointment of Port Wardens.

On motion of Mr. Minis, the consideration of the special order was postponed until to-morrow, at three o'clock P. M.

GENERAL FILE.

Senate Bill No. 368—An Act to create the County of San Benito, to define its boundaries, and provide for its organization.

Upon the adoption of the report of the Committee on County and County Boundaries, recommending that the bill do not pass, the ayes and noes were demanded by Messrs. Evans, Minis, and Beck, and the Senate so ordered by the following vote:

AYES—Messrs. Andross, Banvard, Betge, Boucher, Dyer, Evans, Farley, Finney, Goodale, Kent, Keys, Larkin, Maclay, Pendegast, Perkins, Turner, Wilson, and Wing—18.

NOES—Messrs. Beck, Comte, Crane, De Haven, Fowler, Garratt, Gwin, Hutchings, Irwin, McCoy, McKusick, McMurry, Minis, O'Connor, Tompkins, and Wand—16.

Senate Bill No. 355—An Act to permanently locate the county seat of Monterey County.

Withdrawn.

Assembly Bill No. 516—An Act to permanently locate the county seat of the County of Monterey by the qualified electors of said county.

The bill was read a third time, and upon the passage of the bill the ayes and noes were demanded by Messrs. Pendegast, Larkin, and Fowler, and the Senate so ordered by the following vote:

AYES—Messrs. Beck, Boggs, Boucher, Comte, Crane, De Haven, Duffy, Farley, Finney, Fowler, Gwin, Hutchings, Kent, McCoy, Neff, Oulton, Perkins, Tompkins, Van Ness, Wand, and Wilson—21.

NOES—Messrs. Banvard, Betge, Dyer, Evans, Goodale, Irwin, Keys, Larkin, Maclay, Minis, O'Connor, Pendegast, Turner, and Wing—14.

REPORTS.

Reports were made as follows:

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 370—An Act to provide for the incorporation of tramroad companies in certain counties of this State.

NEFF, for Committee.

By Mr. McMurry:

Mr. PRESIDENT: The Committee on Enrollment respectfully report that they have examined and find correctly enrolled Senate Bill No. 414—An Act to authorize the transfer to the General Fund of money in other Funds of the State Treasury, and the return thereof to such Funds—and presented the same to the Governor this day at twelve o'clock and fifty minutes P. M.

McMURRY, for Committee.

Mr. Tompkins verbally reported Senate Bill No. 454, and recommended its reference to the San Joaquin delegation.

The bill was so referred.

NOTICE OF RECONSIDERATION.

Mr. Betge gave notice that he would, to-morrow, move to reconsider the vote by which the Senate adopted the report of the Committee on Counties and County Boundaries, on Senate Bill No. 368, recommending that the bill do not pass.

At one o'clock P. M., the Senate took a recess until two o'clock P. M.

REASSEMBLED.

Senate reassembled at two o'clock P. M.

President pro tem in the chair.

Roll called.

Quorum present.

GENERAL FILE RESUMED.

Senate resumed consideration of General File.

Assembly Bill No. 311—An Act to establish a State Printing Office, and to create the office of Superintendent of State Printing.

Considered in Committee of the Whole and amended.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the Senate, bill read a third time and passed.

GENERAL FILE RESUMED.

Senate Bill No. 369—An Act to provide for printing and distributing Meredith's Great Register.

Laid on the table.

Senate Bill No. 390—An Act in relation to the State Printer.

Mr. Irwin moved to suspend the rules for the purpose of considering the bill engrossed and placing it upon its passage.

Upon which the ayes and noes were demanded by Messrs. Irwin, Larkin, and Banvard, and the Senate refused by the following vote:

AYES—Messrs. Banvard, Betge, Boucher, De Haven, Duffy, Irwin, Kent, Larkin, Maclay, McCoy, McMurry, Minis, Perkins, Tuttle, Van Ness, and Wand—16.

NOES—Messrs. Comte, Crane, Farley, Finney, Goodale, McKusick, Neff, Oulton, Tompkins, Turner, and Wing—11.

The bill was ordered engrossed.

Senate Bill No. 49—An Act to provide for the public printing in this State.

Withdrawn.

Senate Bill No. 391—An Act to define the duties and fix the compensation of the State Printer.

Laid on the table.

Senate Bill No. 94—An Act relative to State printing.

Withdrawn.

Senate Bill No. 394—An Act amendatory of an Act in relation to county officers in Sierra County.

Referred to the Sierra delegation.

Senate Bill No. 395—An Act relating to the office of Treasurer of Sierra County.

Rules suspended, bill considered engrossed, read a third time and passed.

SPECIAL ORDER.

Motion to reconsider Senate Bill No. 245—An Act in relation to gaming.

On motion of Mr. Minis, the special order was discharged, and made the special order for Monday next, at three o'clock.

GENERAL FILE RESUMED.

Senate Bill No. 396—An Act to repeal an Act concerning roads in Sierra County.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 157—An Act to regulate the erection of public buildings and structures.

Substitute reported by the Committee on Public Buildings adopted, and bill ordered engrossed.

Mr. O'Connor gave notice that he would, on to-morrow, move to reconsider the vote by which the Senate indefinitely postponed Senate Bill No. 382.

On motion of Mr. Irvin, the vote by which the Senate passed Assembly Bill No. 311—An Act to establish a State Printing Office, and to create the office of Superintendent of State Printing—was reconsidered.

The bill was further amended and passed.

Senate Bill No. 328—An Act to provide for the establishment of a public highway and ferry on the San Joaquin River.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 348—An Act to establish meteorological stations in the various counties of this State.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 401—An Act supplementary to an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Rules suspended, bill considered engrossed, read a third time and passed, and ordered transmitted to the Assembly.

Senate Bill No. 70—An Act to provide additional ground for the State Capitol building, in the City of Sacramento.

Passed on file.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
March 21st, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the fifteenth day of March, passed Assembly Bill No. 627—An Act to authorize the Trustees of Red Bluff School District, in Tehama County, to borrow money for the maintenance of the school therein.

Also, on the same day, passed Assembly Bill No. 631—An Act to authorize William A. Findley, of Yuba County, State of California, to remove certain bodies to a public graveyard.

Also, on the same day, passed Assembly Bill No. 634—An Act to authorize John Ram or S. C. Long, of Yuba County, State of California, to remove certain remains of deceased persons.

Also, on the sixteenth day of March, passed Assembly Bill No. 636—An Act supplementary to an Act entitled an Act to provide for the protection of certain lands in Sutter County from overflow, approved March twenty-fifth, eighteen hundred and sixty-eight.

Also, on the same day, passed Assembly Bill No. 624—An Act to amend an Act entitled an Act to regulate the fees and salaries of officers and defining their duties, in the County of El Dorado, and other matters relating thereto, approved March fifth, eighteen hundred and seventy.

Also, on the same day, passed Assembly Bill No. 629—An Act supplemental to an Act entitled an Act to incorporate the Town of Cloverdale, Sonamo County.

Also, on the same day, passed Assembly Bill No. 638—An Act in relation to the fees of jurors and witnesses in Los Angeles County.

Also, on the same day, passed Assembly Bill No. 477—An Act amendatory of an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to open and grade Market street, in said city, from the intersection of said street with Valencia street to its intersection with Seventeenth street, and to condemn private property for the roadway of said street, etc.

Also, on the same day, passed Assembly Bill No. 534—An Act to amend an Act entitled an Act to amend an Act regulating marriages, passed April twenty second, eighteen hundred and fifty, approved April ninth, eighteen hundred and sixty-three.

Also, on the same day, passed Assembly Bill No. 577—An Act to amend an Act entitled an Act to authorize the County Judges and Probate Judges of this State to hold terms or parts of terms of the County Court and Probate Court in counties other than those for which they were respectively elected, approved March thirteenth, eighteen hundred and sixty-eight.

Also, on the twenty first day of March, passed Assembly substitute for Assembly Bills Nos. 407, 388, and 639—An Act to provide the City of Sacramento with a better supply of water.

Also, on the same day, passed Assembly Bill No. 652—An Act to provide funds for the further reclamation of Swamp Land Districts Numbers Fifty and Fifty-four, in Sacramento County.

Also, on the same day, passed Assembly Bill No. 683—An Act to amend an Act entitled an Act concerning street railroads, approved March twenty-ninth, eighteen hundred and seventy.

Also, on the same day, passed Senate Bill No. 443—An Act to authorize a special tax in Siskiyou and Klamath Counties for the construction

of a wagon road from Scott Valley, in Siskiyou County, to Sawyer's Bar, in Klamath County.

Also, on the same day, passed Senate Bill No. 367—An Act to empower the City of Stockton to fund its school debt and for school purposes.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 21st, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twentieth day of March, refused to concur in Senate substitute for Assembly Bill No. 234—An Act to regulate the interest of money.

Also, on the same day, refused to pass Senate Bill No. 407—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, approved May first, eighteen hundred and fifty one.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 21st, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on March twentieth, passed Senate Bill No. 374—An Act to provide for the support of the University of California.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 21st, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the sixteenth instant, passed substitute for Assembly Bill No. 552—An Act to amend an Act entitled an Act for the regulation of sailor boarding houses and shipping offices in the City and County of San Francisco, approved the tenth day of March, eighteen hundred and seventy.

Also, on the nineteenth instant, passed substitute for Assembly Bill No. 539—An Act supplemental to an Act entitled an Act to provide for the formation of corporations for the accumulation and investment of funds and savings, approved April eleventh, eighteen hundred and sixty-two.

Also, on the same day, passed Assembly Bill No. 643—An Act to authorize Isaac Bluxome to remove from his private property on the Rancho de Mirealcon, in Sonoma County, State of California, certain dead bodies, to a public graveyard.

Also, on the same day, passed Assembly Bill No. 647—An Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act to provide for the construction of canals, and for draining and reclaiming certain swamp and overflowed lands in Tulare Valley, passed April first, eighteen hundred and fifty seven, approved April tenth, eighteen hundred and sixty-two.

Also, on the same day, passed Assembly Bill No. 648—An Act to authorize the Supervisors of Kern County to levy a special tax for the County General Fund.

Also, on the twentieth instant, passed Assembly Bill No. 878—An Act to provide for the establishment of a Tydonet Department in the State Library.

Also, on the same day, passed Assembly Bill No. 879—An Act making an appropriation for maintaining one Shorthand State stenographer and reporter employed during the present session of the Legislature.

Also, on the twenty-first day of March, passed, under a suspension of the rules, Assembly Bill No. 880—An Act to appropriate money for the per diem of officers and employés of the Assembly in the contingent account of the Legislature.

Also, passed, under a suspension of the rules, Assembly Bill No. 887—An Act to amend an Act entitled an Act to authorize the Board of Supervisors of Yuba County to construct a bridge across the Yuba River and roads connecting the same with the Feather, approved March tenth, eighteen hundred and sixty-eight.

Also, directed to return Assembly Bill No. 382, for proper re-engrossment to which concurred.

[illegible], Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 827 above reported, read first and second times and ordered to file.

Assembly Bill No. 828, above reported, read first and second times and referred to the Yuba Delegation.

Assembly Bill No. 829 above reported, read first and second times and ordered to file.

Assembly Bill No. 830, above reported, read first and second times and referred to the Committee on Swamp and Overflowed Lands.

Assembly Bill No. 831, above reported, read first and second times and referred to the El Dorado delegation.

Assembly Bill No. 832 above reported, read first and second times and referred to the Sonoma delegation.

Assembly Bill No. 833, above reported, read first and second times and referred to the Los Angeles delegation.

Substitute for Assembly Bill No. 877, above reported, read first and second times and referred to the San Francisco delegation.

Substitute for Assembly Bill No. 878, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 879, above reported, read first and second times and referred to the Judiciary Committee.

Substitute for Assembly Bills Nos. 827, 828, and 829, above reported, read first and second times and referred to the Sacramento delegation.

Assembly Bill No. 831, above reported, read first and second times and referred to the Sacramento delegation.

Assembly Bill No. 832, above reported, read first and second times and referred to the Committee on Corporations.

Assembly Bill No. 833, above reported, read first and second times and referred to the Santa Barbara delegation.

Assembly Bill No. 834, above reported, read first and second times, under suspension of the rules, and passed.

Assembly Bill No. 835, above reported, read first and second times and referred to the Sonoma delegation.

Substitute for Assembly Bill No. 877, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 524, above reported, read first and second times and referred to the Finance Committee.

Substitute for Assembly Bill No. 539, above reported, read first and second times and referred to the Committee on Corporations.

Assembly Bill No. 478, above reported, read first and second times and referred to the Finance Committee.

Assembly Bill No. 699, above reported, read first and second times and referred to the Committee on Contingent Expenses.

Assembly Bill No. 687, above reported, read first and second times and referred to the Yuba delegation.

Substitute for Assembly Bill No. 234, above reported, indefinitely postponed.

GENERAL FILE RESUMED.

Senate Bill No. 259—An Act to confer additional powers upon the Board of Supervisors and the Auditor and Treasurer of San Francisco, etc.

Recommitted to the San Francisco delegation.

At four o'clock and forty-five minutes P. M., on motion of Mr. Fowler, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Friday, March 22d, 1872.

Senate met pursuant to adjournment.
President pro tem in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

REPORTS.

The following reports were made:

By Mr. Banvard:

Mr. PRESIDENT: The Committee on Finance, to whom was referred substitute for Assembly Bill No. 134—An Act to provide for the construction of wagon roads within the limits of the Yosemite and Mariposa Big Tree grant, and to construct the same—having had the same under consideration, herewith report the same back and recommend that it do not pass.

BANVARD, Chairman.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and

find correctly engrossed Senate Bill No. 561—An Act to provide a system of common schools.

TUTTLE, for Committee.

Mr. Tuttle verbally reported Assembly Bill No. 629, and recommended its passage.

The rules were suspended, and Assembly Bill No. 629, above reported, was read a third time and passed.

Mr. Irwin verbally reported Assembly Bill No. 570, and recommended its passage.

The rules were suspended, and Assembly Bill No. 570, above reported, was read a third time and passed.

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 450—An Act to amend an Act entitled an Act concerning estrays and animals found running at large in the County of Santa Clara, passed April twenty-seventh, eighteen hundred and sixty-three.

Also, Senate Bill No. 451—An Act to amend an Act entitled an Act for the incorporation of water companies, approved April twenty-second, eighteen hundred and fifty-eight.

NEFF, for Committee.

By Mr. Van Ness:

Mr. PRESIDENT: The Committee on Federal Relations have had under consideration Assembly Joint Resolution No. 20—Relative to fortifications in San Diego Harbor.

Also, Assembly Joint Resolution No. 39—Relative to establishing a monthly mail between San Francisco and the Island of Tahiti.

Also, Assembly Memorial and Joint Resolution No. 16—Relative to occupation of Hoopa Valley, in Klamath County, as an Indian Reservation.

Also, Assembly Memorial and Joint Resolution No. 28—Relative to asking Congress for an appropriation to improve Humboldt Harbor.

Also, Assembly Joint Resolution No. 24—Relative to establishing a weekly mail from Point Jones, in Sonoma County, to Orleans Bar.

Also, Assembly Memorial to Congress, to accompany Assembly Resolution No. 29.

Also, Assembly Joint Resolution No. 15—Relating to instructing our Senators and requesting our Representatives in Congress to urge upon the Congress of the United States to adopt such legislation as will authorize the collection of a foreign miners' tax, etc.

Also, Joint Resolution of the Senate, No. 6—Relative to requesting Congress to have surveyed certain lands in this State.

And report the same back and recommend their passage.

VAN NESS, Chairman.

Mr. Mackay verbally reported Assembly Bill No. 683, and recommended its passage.

The rules were suspended, and Assembly Bill No. 683, above reported, was read a third time and passed.

By Mr. Duffy:

Mr. PRESIDENT: Your Committee on State Library, to whom was referred Senate Bill No. 323—An Act in relation to a special Fund for the State Library—beg leave to report a substitute for same, and respectfully recommend the passage of the substitute.

DUFFY, Chairman.

Mr. Minis verbally reported Assembly Bill No. 306, and recommended its passage.

The rules were suspended, and Assembly Bill No. 306 was amended, read a third time and passed. Title amended, and amendment adopted.

Mr. Evans verbally reported Senate Bill No. 454, with amendments, and recommended its passage as amended.

The rules were suspended for the consideration of Senate Bill No. 454, above reported, amendments reported by the San Joaquin delegation adopted, bill considered engrossed, read a third time and passed, and ordered to be transmitted to the Assembly.

Mr. Wand verbally reported Senate Bill No. 259, with amendments, and recommended its passage.

The rules were suspended and amendments reported by the San Francisco delegation to Senate Bill No. 259, above reported, were adopted, bill considered engrossed, read a third time and passed, and ordered to be transmitted to the Assembly.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 21st, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 399—An Act to amend an Act entitled an Act to incorporate the Town of Wilmington, in the County of Los Angeles, in the State of California, approved February twentieth, eighteen hundred and seventy-two.

Also, Senate Bill No. 387—An Act concerning the office of Secretary of the Fire Department of the City of Sacramento.

Also, Senate Bill No. 170—An Act for the encouragement of agriculture and other industries.

Also, Senate Bill No. 340—An Act to authorize the Board of Supervisors of the County of San Luis Obispo to audit and allow the claim of M. B. Harrison.

Also, Senate Bill No. 114—An Act for the relief of George W. Reamer and his associates.

Also, Senate Bill No. 61—An Act to repeal an Act entitled an Act to empower the Board of Supervisors of the several counties of this State to aid in the construction of a railroad in their respective counties, approved April fourth, eighteen hundred and seventy; and an Act entitled an Act supplemental to an Act to empower the Board of Supervisors of the several counties of this State to aid in the construction of a

railroad in their respective counties, approved April fourth, eighteen hundred and seventy, approved April fourth, eighteen hundred and seventy, except to certain counties therein named.

Also, Senate Bill No. 312—An Act supplementary to and amendatory of an Act entitled an Act to incorporate the Town of Santa Cruz, approved March thirty-first, eighteen hundred and sixty six.

Also, Senate Bill No. 430—An Act to establish a Civil Code.

NEWTON BOOTH, Governor.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Maclay—An Act concerning streams in the County of Santa Clara.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Wand—An Act to appropriate money to assist the Aerial Steam Navigation Company of California.

Read first and second times and referred to the Finance Committee.

By Mr. Oulton—An Act authorizing the Board of State Harbor Commissioners to reduce or abolish the rates of dockage, wharfage, and tolls.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

REPORT.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 59—An Act to legalize the assessment of taxes for the years A. D. eighteen hundred and sixty-nine, eighteen hundred and seventy, and eighteen hundred and seventy-one, in the County of Sierra.

Also, Senate Bill No. 396—An Act to repeal an Act concerning roads and highways in the County of Sierra, approved March twenty fifth, eighteen hundred and seventy.

Also, Senate Bill No. 395—An Act concerning the office of Treasurer of Sierra County.

Also, Senate Bill No. 348—An Act to establish meteorological stations in the various counties of this State.

Also, Senate Bill No. 390—An Act in relation to the State Printer.

Also, Senate Bill No. 157—An Act to regulate the erection of public buildings and structures.

Also, Senate Bill No. 328—An Act to provide for the establishment of a public highway and ferry on the San Joaquin River, in the County of Stanislaus.

TUTTLE, for Committee.

FURTHER INTRODUCTION OF BILLS.

By Mr. Minis—An Act for the relief of Isaac Hobbs, ex-Sheriff of Solano County.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Pendegast—An Act to authorize the Napa Ladies' Seminary to grant diplomas.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

PETITION.

The President of the Senate presented a petition from Alfred Moulin.

The petition, with accompanying documents, was referred to the Judiciary Committee.

RESOLUTION AND MOTION.

By Mr. Tompkins:

Resolved by the Senate, the Assembly concurring, That the Governor be and he hereby is authorized and required to appoint three Commissioners, who, without compensation or expense to the State, shall represent the State of California at the International Exposition, to be held at the City of Vienna, during the year eighteen hundred and seventy-three. The duty of said Commissioners shall be to facilitate, as far as practicable, the exhibition at said Exposition by citizens of California, of any of the products or manufactures of the State.

Adopted.

On motion of Mr. Wand, Assembly Bill No. 382—An Act to amend an Act to change the time for holding municipal elections in the City and County of San Francisco—was taken from the file, read a third time and passed.

FURTHER INTRODUCTION OF BILLS.

By Mr. Garratt—An Act to amend an Act entitled an Act to regulate fees in office.

Read first and second times and referred to the San Francisco delegation.

By Mr. Comte—An Act concerning the office of District Attorney of Sacramento County.

Read first and second times and referred to the Sacramento delegation.

RECONSIDERATION.

Pursuant to notice, Mr. Betge moved to reconsider the vote by which the Senate on yesterday adopted the report of the Committee on Counties and County Boundaries, recommending that Senate Bill No. 368—An Act to create the County of San Benito, etc., do not pass.

Mr. Betge moved to indefinitely postpone the motion to reconsider, upon which the ayes and noes were demanded by Messrs. Larkin, Evans, and Betge, and the Senate so ordered by the following vote:

AYES—Messrs. Andross, Banvard, Betge, Duffy, Dyer, Evans, Farley, Finney, Fowler, Goodale, Kent, Keys, Larkin, Maclay, Pendegast, Perkins, Wilson, and Wing—18.

NOES—Messrs. Beck, Boucher, Comte, Crane, Garratt, Gwin, Hutchings, Irwin, McCoy, McKusick, McMurry, Neff, O'Connor, Oulton, Tompkins, Tuttle, and Wand—17.

On motion of Mr. Betge, Assembly Bill No. 383—An Act to provide

and pay for services rendered the City and County of San Francisco—was taken from the file and recommitted to the San Francisco delegation.

GENERAL FILE.

Senate Bill No. 139—An Act to provide for the payment of principal and interest on California Indian war bonds.

Amendments reported by the Committee on Claims adopted, rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 326—An Act to promote irrigation.

Referred to the Judiciary Committee, with the request that the same be reported on Monday next, and that when so reported to be placed at the head of the file.

Senate Bill No. 393—An Act to authorize the Board of Supervisors of San Joaquin County to appropriate money for the use of the San Joaquin Agricultural Society.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 394—An Act to amend an Act entitled an Act to prevent extortion in office, etc.

Amendments reported by the Judiciary Committee adopted, and bill ordered engrossed.

Senate Bill No. 397—An Act to amend an Act entitled an Act amendatory of and supplementary to an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, approved April nineteenth, eighteen hundred and fifty-six.

Amendments reported by the Judiciary Committee adopted, rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 357—An Act to amend an Act concerning roads in Santa Barbara and San Luis Obispo Counties.

Amendments reported by the Judiciary Committee adopted, rules suspended, bill considered engrossed, read a third time and passed, and ordered to be transmitted to the Assembly.

Senate Bill No. 384—An Act to add another section to the Penal Code.

Report of the Judiciary Committee, recommending that the bill do not pass, was adopted.

Senate Bill No. 397—An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons.

Amendments reported by the Judiciary Committee adopted, rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 379—An Act to authorize Margaret McDaniel, administratrix of the estate of Thomas McDaniel, deceased, to borrow money to pay the debts of the estate.

Upon the adoption of the report of the Judiciary Committee, recommending that the bill do not pass, the ayes and noes were demanded by Messrs. Tompkins, Andross, and Minis, and the Senate refused by the following vote:

Ayes—Messrs. Duffy, Farley, Fowler, Minis, Neff, O'Connor, Oulton, Tompkins, Turner, Tuttle, and Wilson—11.

Noes—Messrs. Andross, Banvard, Beck, Betge, Boucher, Comte, Crane, Dyer, Finney, Garratt, Goodale, Gwin, Hutchings, Irwin, Keys, Maclay, McKusick, McMurry, Perkins, Wand, and Wing—21.

The rules were suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 411—An Act to regulate planting and propagating lobsters and eels in this State.

Passed on file.

Senate Bill No. 354—An Act to incorporate the City of Vallejo.

Withdrawn.

Senate Bill No. 410—An Act to provide for Public Administrators in certain cases.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 377—An Act to authorize the Trustees of the Town of Colusa to call an election of the qualified voters of said town to vote upon the continuance or dissolution of the municipal corporation of said town.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 411—An Act to regulate planting and propagating lobsters and eels in this State.

Pending the consideration of the bill, the Senate, at one o'clock P. M., took a recess for one hour.

REASSEMBLED.

Senate reassembled at two o'clock P. M.

President pro tem in the chair.

Roll called.

Quorum present.

GENERAL FILE RESUMED.

Senate resumed consideration of Senate Bill No. 411—An Act to regulate planting and propagating lobsters and eels in this State.

The rules were suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 333—An Act in relation to the Board of Education of the City and County of San Francisco.

Amended, read a third time and passed.

REPORT.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 462—An Act entitled an Act authorizing the Board of State Harbor Commissioners to reduce or abolish the rates of dockage, wharfage, and tolls.

TUTTLE, for Committee.

RECONSIDERATION.

Pursuant to notice, Mr. Minis moved to reconsider the vote by which the Senate on yesterday indefinitely postponed Senate Bill No. 382—An Act to provide for the settlement of the claim of E. L. Brown.

Upon the motion to reconsider, the ayes and noes were demanded by Messrs. Minis, Banvard, and Duffy, and the Senate refused by the following vote:

AYES—Messrs. Banvard, Betge, Boggs, Comte, De Haven, Duffy,

Farley, Fowler, Garratt, Hutchings, Maclay, McCoy, McMurry, Minis, Neff, Pendegast, and Perkins—17.

Noes—Messrs. Andross, Beck, Boucher, Crane, Dyer, Evans, Finney, Goodale, Irwin, Keys, Larkin, McKusick, O'Connor, Oulton, Tompkins, Turner, Tuttle, Wand, and Wing—19.

GENERAL FILE RESUMED.

Senate Bill No. 383—An Act to amend an Act entitled an Act to regulate and license places of public amusement.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 300—An Act to legalize certain proceedings of the Board of Supervisors of Yolo County.

Mr. Tompkins moved to strike out the enacting clause of the bill.

Upon which the ayes and noes were demanded by Messrs. Minis, Larkin, and Tompkins, and the Senate refused by the following vote:

Ayes—Messrs. Beck, Comte, De Haven, Gwin, Larkin, McMurry O'Connor, Oulton, Tompkins, Turner, and Wilson—11.

Noes—Messrs. Andross, Banvard, Betge, Boucher, Duffy, Dyer, Evans, Farley, Finney, Fowler, Garratt, Goodale, Hutchings, Irwin, Kent, Keys, Maclay, McCoy, Minis, Neff, Pendegast, Perkins, Tuttle, Van Ness, Wand, and Wing—26.

Section second of the bill was stricken out.

Section one was amended as follows: On the first line of the section, between the words "the" and "lands," insert the words "swamp and overflowed."

Upon the adoption of the following amendment to section one—between the words "thereon" and "for," in the eighth line, insert the words "in conformity with the laws of this State"—the ayes and noes were demanded by Messrs. Tompkins, Larkin, and Minis, and the Senate refused by the following vote:

Ayes—Messrs. Beck, Comte, Crane, De Haven, Finney, Garratt, Kent, Larkin, McMurry, O'Connor, Oulton, Tompkins, Turner, and Wilson—14.

Noes—Messrs. Andross, Banvard, Betge, Boucher, Duffy, Dyer, Evans, Farley, Fowler, Goodale, Gwin, Hutchings, Irwin, Keys, Maclay, McCoy, Minis, Neff, Pendegast, Perkins, Tuttle, Van Ness, Wand, and Wing—24.

Mr. Tompkins moved to amend section one, line eight, by striking out the words "or to be levied."

Upon the adoption of the amendment, the ayes and noes were demanded by Messrs. Tompkins, Minis, and McMurry, and the Senate refused by the following vote:

Ayes—Messrs. Beck, Comte, Crane, De Haven, Finney, Garratt, Gwin, Larkin, McMurry, O'Connor, Oulton, Perkins, Tompkins, Turner, and Wilson—15.

Noes—Messrs. Andross, Banvard, Betge, Boucher, Duffy, Dyer, Evans, Farley, Fowler, Goodale, Hutchings, Keys, Maclay, McCoy, Minis, Neff, Pendegast, Tuttle, Van Ness, Wand, and Wing—21.

The bill was ordered engrossed.

At five o'clock and sixteen minutes P. M., on motion of Mr. Larkin, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Saturday, March 23d, 1872.

Senate met pursuant to adjournment.
President pro tem in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

COMMITTEE.

The President of the Senate announced the appointment of the following committee, on the part of the Senate, pursuant to a resolution to inquire into the effect of the Code relative to the salary of District Attorneys: Messrs. Neff, O'Connor, and Comte.

REPORTS.

Reports were made as follows:

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 139—An Act to provide for the payment of the principal and interest on California Indian War Bond Number Thirty-four.

NEFF, for Committee.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 304—An Act to amend an Act entitled an Act to prevent extortion in office and to enforce official duty, approved March fourteenth, eighteen hundred and fifty-three.

Also, Senate Bill No. 463—An Act for the relief of Isaac Hobbs, ex-Sheriff of Solano County.

Also, Senate Bill No. 460—An Act concerning streams in the County of Santa Clara.

Also, Senate Bill No. 300—An Act to legalize certain proceedings of the Board of Supervisors of Yolo County.

TUTTLE, for Committee.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Education have considered Assembly Bill No. 364—An Act to fix the salary of the School

Superintendent of Plumas County—report the same back, and recommend that it do not pass.

Also, Assembly Bill No. 506, without recommendation.

TUTTLE, for Committee.

By Mr. Banvard:

Mr. PRESIDENT: The Committee on Finance, to whom was referred Assembly Bill No. 136—An Act to provide for the payment of certain Controllers' warrants drawn upon the State Treasury—having had the same under consideration, would respectfully report it back and recommend its passage.

Also, Assembly Bill No. 478—An Act to provide for the establishment of a Cabinet Department in the State Library—herewith return it without recommendation.

Also, Assembly Bill No. 224—An Act for the relief of A. F. Gray—which was re-referred to the committee, herewith report it back, and a majority of the committee recommend the passage of the substitute heretofore reported to the Senate.

BANVARD, Chairman.

By Mr. Minis:

Mr. PRESIDENT: Your Committee on Swamp, Overflowed and Tide Lands, to whom was referred Senate Bill No. 191—An Act to provide for the funding of the indebtedness of Levee District Number Five, in the County of Sutter—report the same back and recommend its passage.

Your committee have also considered Assembly Bill No. 505—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight—and report the same back recommending its passage.

Your committee have also considered Senate Bill No. 179—An Act to authorize the Board of Supervisors of Yolo County to approve and certify certain claims against Swamp Land District Number Eighteen—and report the same back and recommend that it do not pass.

Also, Assembly Bill No. 636—An Act supplementary to an Act entitled an Act to provide for the protection of certain lands in Sutter County from overflow, approved March twenty-fifth, eighteen hundred and sixty-eight—and report the same back and recommend its passage.

Your committee also beg leave to report back Senate Bill No. 234, with a recommendation that it do not pass.

MINIS, Chairman.

REMONSTRANCE.

Mr. Larkin presented a remonstrance from citizens of El Dorado County against the passage of a bill to restrict the herding of sheep in said county.

Referred to the El Dorado delegation.

FURTHER REPORTS.

Mr. Wilson verbally reported Assembly Bill No. 546 and Senate Bill No. 444, and recommended their passage.

On motion of Mr. Wing, the rules were suspended, and Senate Bill

No. 444, above reported, was considered engrossed, read a third time and passed.

By Mr. Larkin:

Mr. PRESIDENT: The Committee on State and County Revenue, to whom was referred Senate Bill No. 431—An Act to provide for collecting a poll hospital tax in the County of Colusa—would report the same back and recommend its passage.

LARKIN, Chairman.

By Mr. Tompkins:

Mr. PRESIDENT: The Committee on Judiciary have had under consideration Senate Bill No. 62—Senate proposed amendment to section second of Article IV of the Constitution.

Also, Senate Bill No. 35—Proposed amendment to section twenty-six of Article IV of the Constitution.

Also, Assembly Bill No. 656—An Act to amend the Penal Code.

And report the same back and recommend their passage.

Also, have had under consideration Assembly substitute for Assembly Bill No. 534—An Act to amend an Act entitled an Act to amend an Act entitled an Act regulating marriages, passed April twenty-second, eighteen hundred and fifty, approved April ninth, eighteen hundred and sixty-three.

Also, Senate Bill No. 457—An Act entitled an Act supplementary to and amendatory of an Act entitled an Act supplementary of an Act entitled an Act to survey and dispose of certain salt marsh and tide lands belonging to the State of California, approved March thirtieth, eighteen hundred and sixty-eight, approved April first, eighteen hundred and seventy.

And report the same back, with amendments, and recommend the adoption of the amendments and the passage of the several bills as amended.

Also, Assembly Bill No. 492—An Act concerning assessments upon the stock of corporations—and report the same back and recommend that, as the bill relates to a local matter, it be referred to the delegation from Los Angeles County.

Also, have had under consideration Senate Bill No. 6—Proposed amendment to section ten of Article IX of the Constitution—and report the same back without recommendation.

The committee report back Assembly Bill No. 139. This bill does not appear, by any indorsement thereon, to have passed the Assembly, and your committee recommend that it be transmitted to the Assembly, and that the Assembly be respectfully requested, if the bill passed that body, to have the same properly indorsed to that effect.

Also, have had under consideration Assembly Bill No. 536—An Act in relation to unclaimed baggage.

Also, Assembly Bill No. 577—An Act to amend an Act entitled an Act to authorize the County Judges and Probate Judges of this State to hold terms or parts of terms of the County Court and Probate Court in counties other than those for which they were respectively elected, approved March thirteenth, eighteen hundred and sixty-eight.

Also, Senate Bill No. 50—Proposed amendment to section eight of Article I of the Constitution.

Also, Senate Bill No. 11—Proposed amendment to section thirteen of Article XI (eleven) of the Constitution.

Also, Senate Bill No. 37—Proposed amendment to section thirty-six of Article IV of the Constitution.

And report the same back and recommend that they do not pass.

Also, have had under consideration Senate Bill No. 186.

Also, Assembly substitute for Assembly Bill No. 193.

These two bills submit, for the adoption by the Legislature at its nineteenth session, of the following amendments to the Constitution on said bills alleged to have passed the Legislature at its eighteenth session, to wit:

Amendments to sections one, three, five, seven, and ten, of Article VI, and section one of Article IX, and section two of Article IV, of the Constitution.

An examination of the Senate and Assembly Journals of the eighteenth session, discloses the fact that none of the above proposed amendments were constitutionally proposed and adopted by the Legislature of that session, and as they so failed, and the revision of the laws by the Revision Commissioners, and the recent enactment of the Codes have been in reference to the Constitution as it is the committee deem it improper to inaugurate so soon such a radical change in the Constitution as would or might ensue by the adoption of the proposed amendments, or the submission of the same to the next Legislature. The committee, therefore, report the same back and recommend that they do not pass.

TOMPKINS, Chairman.

Assembly Bill No. 402, above reported, was referred to the Los Angeles delegation.

By Mr. Keys:

Mr. PRESIDENT: The State Hospital Committee, to whom was referred Assembly Bill No. 158, respectfully return the same with substitute, and recommend its adoption.

KEYS, Chairman.

By Mr. Hutchings:

Mr. PRESIDENT: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 340—An Act to authorize the Board of Supervisors of the County of San Luis Obispo to erect and allow the claim of M. B. Harrison.

Also, Senate Bill No. 61—An Act to repeal an Act entitled "An Act to empower the Board of Supervisors of the several counties of the State to act in the construction of a railroad in their respective counties, approved April twenty-fourth, eighteen hundred and seventy.

Also, Senate Bill No. 403—An Act to authorize the Board of Supervisors of Los Angeles County to locate and build bridges across the Los Angeles River, and the New San Gabriel and the Old San Gabriel Rivers in Los Angeles County, and to issue bonds for the payment of the same.

And have presented the same to the Governor for his signature this day at ten o'clock and fifty minutes A. M.

HUTCHINGS.

Mr. PRESIDENT: Your Committee on Enrollment have examined and find correctly enrolled Senate Bill No. 371—An Act to provide for the settlement of the value of school property in the several school districts that were adjacent to the City of Stockton, and which was, by Act of the Legislature approved January twenty-sixth, eighteen hundred and seventy, included within the limits of said city.

Also, Senate Bill No. 220—An Act to amend an Act entitled an Act to authorize and require the County of Santa Cruz to pay over certain school moneys to certain school districts in San Mateo County, approved March twenty-seventh, eighteen hundred and seventy.

Also, Senate Bill No. 254—An Act to amend an Act entitled an Act to provide for the formation of corporations for certain purposes, approved April fourteenth, eighteen hundred and fifty three.

Also, Senate Bill No. 238—An Act for the correction of errors and omissions in the official proceedings relative to certain contracts for street work in the City and County of San Francisco.

Also, Senate Bill No. 419—An Act to amend an Act entitled an Act concerning public roads and highways in the Counties of Santa Cruz and San Diego, approved March twenty-first, eighteen hundred and seventy.

Also, Senate Bill No. 425—An Act to prevent hogs from running at large in the Town of Red Bluff.

Also, Senate Bill No. 268—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one.

And have presented the same to the Governor this day, at thirty minutes past ten o'clock A. M.

HUTCHINGS.

By Mr. Pendegast:

Mr. PRESIDENT: The Committee on Counties and County Boundaries have had under consideration and report back Assembly Bill No. 411—An Act the better to define the boundaries between the Counties of Humboldt, Mendocino, Trinity, and Klamath—and respectfully recommend its passage.

PENDEGAST, Chairman.

Mr. O'Connor verbally reported Senate Bill No. 447, and recommended its passage.

The rules were suspended, and Senate Bill No. 447, above reported, was considered engrossed, read a third time and passed.

Mr. Maclay verbally reported Assembly Bill No. 599, and recommended its passage.

Mr. Tuttle verbally reported Assembly Bill No. 643, without recommendation.

By Mr. Boggs:

Mr. PRESIDENT: The delegation to whom was referred Senate Bill No. 269—An Act to provide for the location, construction, and maintenance of public roads in the County of Colusa—report the same back with amendments, and recommend its passage as amended.

Also, Assembly Bill No. 472—An Act in relation to certain officers in Tehama County—report the same back and recommend its passage.

BOGGS, Delegation.

By Mr. Comte:

Mr. PRESIDENT: The Sacramento delegation, to whom was referred Senate Bill No. 466—An Act concerning the office of District Attorney of Sacramento County—beg leave to report the same back and respectfully recommend its passage.

COMTE,
DUFFY,
Delegation.

By Mr. Crane:

Mr. PRESIDENT: Your committee to whom was referred Assembly Bill No. 687—An Act to amend an Act to authorize the Board of Supervisors of Yuba County to construct a bridge across the Yuba River, and roads connecting the same with the highlands, approved March tenth, eighteen hundred and sixty-eight—having considered the same, respectfully report it back and recommend its passage.

HUTCHINGS,
CRANE,
Delegation.

On motion of Mr. Crane, the rules were suspended, and Assembly Bill No. 687, above reported, was read a third time and passed.

By Mr. Garratt:

Mr. PRESIDENT: The San Francisco delegation have had the following bills under consideration, and report the same back as follows:

Substitute for Assembly Bill No. 552—An Act to amend an Act entitled an Act for the regulation of sailor boarding houses and shipping offices in the City and County of San Francisco, approved March tenth, eighteen hundred and seventy—amended and passage recommended as amended.

Also, substitute for Assembly Bill No. 477—An Act to amend an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to open and grade Market street, in said city, from the intersection of said street with Valencia street to its intersection with Seventeenth street, and to condemn private property for the roadway of said street, approved April second, eighteen hundred and seventy—passage recommended.

Also, Assembly Bill No. 598—An Act authorizing the Board of Supervisors of the City and County of San Francisco to provide suitable rooms, attendants, fuel, lights, and stationery for the Third and Nineteenth District Courts in and for the City and County of San Francisco and the County of Alameda—passage recommended.

Also, Senate Bill No. 465—An Act to amend an Act entitled an Act to regulate fees in office—passage recommended.

Also, Senate Bill No. 192—An Act to legalize, confirm, and make valid certain contracts for street work in the City and County of San Francisco, and all proceedings of the Board of Supervisors of said city and county relating to the same—passage recommended.

Also, Senate Bill No. 448—An Act for the relief of John J. Conlin—passage recommended by a majority of the delegation.

GARRATT, for Delegation.

Mr. Minis verbally reported Assembly Bill No. 591, with amendments, and recommended its passage as amended.

The rules were suspended, amendments reported by the delegation adopted, bill read a third time and passed.

By Mr. Beck:

Mr. PRESIDENT: The Monterey delegation, to whom was referred Assembly Bill No. 650—An Act to fix the terms of the County Court of the County of Monterey—have considered the same and recommend its passage.

BECK, for Delegation.

Mr. Crane verbally reported Assembly Bill No. 631, and recommended its passage.

The rules were suspended, and Assembly Bill No. 631, above reported, read a third time and passed.

By Mr. Duffy:

Mr. PRESIDENT: Your committee, consisting of the Sacramento delegation, to whom was referred Assembly Bill No. 609—An Act in relation to the Board of School Trustees of Oakley School District, in Sacramento County—report the same back and recommend its passage.

COMTE,
DUFFY,
Delegation.

The rules were suspended, and Assembly Bill No. 609, above reported, was read a third time and passed.

Mr. Minis verbally reported Senate Bill No. 423, and recommended its passage.

The rules were suspended, and Senate Bill No. 423, above reported, was considered engrossed, read a third time and passed.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 411—An Act to regulate planting and propagating lobsters and eels in this State.

Also, Senate Bill No. 307—An Act to amend an Act amendatory of and supplementary to an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, approved April nineteenth, eighteen hundred and fifty-six.

Also, Senate Bill No. 397—An Act to amend an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty one.

Also, Senate Bill No. 410—An Act to provide for public administrators in certain cases.

TUTTLE, for Committee.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 22d, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 11—An Act to amend an Act entitled an Act to consolidate certain school districts of the Counties of El Dorado and Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three.

Also, Senate Bill No. 414—An Act to authorize the transfer to the General Fund of money in other Funds of the State Treasury, and the return thereof to such Funds.

Also, Senate Bill No. 400—An Act to authorize the Board of Supervisors of Los Angeles County to locate and build bridges across the Los Angeles River, and the New San Gabriel and Old San Gabriel Rivers, in Los Angeles County, and to issue bonds for the payment of the same.

NEWTON BOOTH, Governor.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
March 22d, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-second day of March, passed Assembly Bill No. 593—An Act to provide for the designation of the true meridian of the several counties of the State.

Also, on the same day, passed Assembly Bill No. 616—An Act validating certain contracts in relation to the excavation of Putah Creek canals, and extending the time of performing the same.

Also, on the same day, passed Senate Concurrent Resolution No. 48—requesting the Governor to appoint Commissioners to the International Exposition to be held at Vienna in eighteen hundred and seventy-three.

BORUCK, Chief Clerk.

ASSEMBLY CHAMBER,
March 22d, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-first day of March, concurred in Senate Concurrent Resolution No. 47—Relative to joint committee to consider the question of salaries of District Attorneys in the State.

Also, on the twenty-second day of March, passed Assembly Concurrent Resolution No. 30—Requesting the Governor to return Assembly Bill No. 566 to the Assembly for the correction of a clerical error.

Also, on the same day, passed substitute for Assembly Bill No. 494—An Act to authorize G. W. Chesley, and his associates and assigns, to lay down gas pipes in the City of Sacramento.

Also, on the same day, passed Assembly Bill No. 678—An Act to better define the duties and fix the compensation of certain officers of Solano County.

Also, on the same day, passed Assembly Bill No. 704—An Act relating to Swamp Land District Number Seventy, Sutter County.

Also, on the same day, passed Assembly Bill No. 705—An Act to amend an Act entitled an Act to incorporate the City of Marysville, approved March third, eighteen hundred and fifty-seven, and Acts amendatory thereto.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 22d, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-first day of March, passed Assembly Bill No. 603—An Act to release the claim of the State of California to certain lands in township eleven north, range four east, Mount Diablo base and meridian.

Also, on the same day, passed Assembly Bill No. 630—An Act to amend an Act entitled an Act to provide for the management and sale of land belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, on the same day, passed Assembly Bill No. 642—An Act to authorize road districts in San Joaquin County to levy special tax.

Also, on the same day, passed Assembly Bill No. 692—An Act declaring Clear Lake, in Lake County, navigable.

Also, on the same day, passed Assembly Bill No. 682—An Act to provide funds for the City of Oakland.

Also, on the twenty-second day of March, passed Senate Bill No. 381—An Act to enable the heirs or next of kin of Thomas Spriggs, deceased, to inherit his estate.

Also, on the same day, passed Senate Bill No. 344—An Act to provide further accommodation for the insane of the State of California, and to provide a special Fund therefor.

Also, on the same day, passed Senate Bill No. 297—An Act to authorize the payment of Mrs. Eliza McLean, for supplies furnished the State Marine Hospital in the years eighteen hundred and fifty-three and eighteen hundred and fifty-four.

BORUCK, Chief Clerk.

ASSEMBLY CHAMBER,
March 23d, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-first day of March, passed Assembly Bill No. 697—An Act concerning the military of the State of California.

Also, on the twenty-third day of March, passed Assembly Bill No. 714—An Act concerning the time and places of holding the District and County Courts in and for the County of Siskiyou.

Also, on the same day, passed Assembly Bill No. 703—An Act to vacate certain streets, alleys, and market places in the City and County of San Francisco, and to donate the same and other tide lands belonging to the State of California to said City and County of San Francisco for commercial purposes, and other matters relating thereto.

BORUCK, Chief Clerk.

ASSEMBLY CHAMBER,
March 23d, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the sixteenth day of March, passed Assembly Bill No. 537—An Act to reincorporate the City of Vallejo.

Also, on March twenty-first, passed Assembly Bill No. 553—An Act for the encouragement of irrigation.

Also, on the same day, passed Assembly Bill No. 691—An Act defining a lawful and partition fence in the County of Butte.

Also, on March twenty second, passed Assembly Bill No. 461—An Act granting certain lands and buildings known as the State Reform School property to the City of Marysville.

Also, on the same day, passed Assembly Bill No. 456—An Act calling in the deferred payments and moneys due upon lands heretofore applied for or purchased from the State of California on credit.

Also, on the same day, passed Assembly Bill No. 587—An Act to change the manner of electing Supervisors in the County of Del Norte and prescribing the method thereof.

Also, on the same day, passed Assembly Bill No. 622—An Act to authorize certain persons to improve the Pescadero and Butano Creek, and to erect booms thereon.

Also, on the same day, passed Assembly Bill No. 663—An Act concerning certain offices in Napa County, prescribing the duties and regulating the fees therefor.

Also, on the same day, passed Assembly Bill No. 664—An Act to amend an Act entitled an Act to amend an Act entitled an Act to create and organize a Fire Department for the Town of Mokelumne Hill, approved April twenty four, eighteen hundred and sixty six, approved March twenty-six, eighteen hundred and sixty-eight.

Also, on the same day, passed Assembly Bill No. 665—An Act to define the fire limits of the Town of Mokelumne Hill, in Calaveras County, and to provide for the support of the Fire Department.

Also, on the same day, passed Assembly Bill No. 672—An Act to authorize the County of Yuba to issue sixty thousand dollars of bonds for the purpose of constructing, repairing, and improving wagon roads and bridges in said County of Yuba.

Also, on the same day, passed Assembly Bill No. 670—An Act to amend an Act entitled an Act to authorize the Board of Supervisors of Woodland School District, in the County of Yolo, to borrow money for certain purposes, and provide for the payment of the same.

Also, on the same day, passed Assembly Bill No. 671—An Act supplementary to an Act entitled an Act to provide for the incorporation of colleges, approved April twentieth, eighteen hundred and fifty.

Also, on the same day, passed Assembly Bill No. 662—An Act to protect the wages of labor and the salaries and fees of subordinate officers.

Also, on the same day, passed Assembly Bill No. 646—An Act to prevent the wholesale destruction of certain fish in the Bay of San Francisco and the adjacent bays and waters.

Also, on the same day, passed Assembly Bill No. 673—An Act to authorize the conveyance of a certain lot of land in the City and County of San Francisco to the Ladies' Protection and Relief Society.

Also, on the same day, passed Assembly Bill No. 655—An Act to authorize the Board of Supervisors of the City and County of San Fran-

cisco to appropriate money for the improvement of Washington Plaza, in said city and county.

Also, on the same day, passed Senate Bill No. 195—An Act amending an Act entitled an Act to restrict the herding of sheep, approved May eighteenth, eighteen hundred and sixty-one.

Also, on the same day, passed Senate Bill No. 408—An Act for the protection of fish and game in certain portions of Napa County.

Also, on the same day, passed Senate Bill No. 131—An Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act concerning estray animals, passed April nineteenth, eighteen hundred and fifty-six, approved March twenty-eighth, eighteen hundred and fifty-nine.

BORUCK, Chief Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Concurrent Resolution No. 30, above reported, read first and second times and adopted.

Substitute for Assembly Bill No. 494, above reported, read first and second times and referred to the Sacramento delegation.

Assembly Bill No. 678, above reported, read first and second times and referred to the Solano delegation.

Assembly Bill No. 704, above reported, read first and second times and referred to the Committee on Swamp and Overflowed Lands.

Assembly Bill No. 705, above reported, read first and second times and referred to the Yuba delegation.

Assembly Bill No. 593, above reported, read first and second times and referred to the Committee on Public Lands.

Assembly Bill No. 616, above reported, read first and second times and referred to the Yolo and Solano delegation.

Assembly Bill No. 603, above reported, read first and second times and referred to the Committee on Public Lands.

Assembly Bill No. 630, above reported, read first and second times and referred to the Committee on Public Lands.

Assembly Bill No. 642, above reported, read first and second times and referred to the San Joaquin delegation.

Assembly Bill No. 692, above reported, read first and second times and referred to the Napa delegation.

Assembly Bill No. 682, above reported, read first and second times and referred to the Alameda delegation.

Assembly Bill No. 697, above reported, read first and second times, rules suspended, bill amended, read a third time and passed.

Assembly Bill No. 714, above reported, read first and second times, rules suspended, bill read a third time and passed.

Assembly Bill No. 703, above reported, read first and second times, and ordered at the top of the file for Tuesday next.

Assembly Bill No. 553, above reported, read first and second times and referred to the Committee on Agriculture.

Assembly Bill No. 537, above reported, read first and second times and referred to the Solano delegation.

Assembly Bill No 691, above reported, read first and second times and ordered on file.

Assembly Bill No. 161, above reported, read first and second times and referred to the Committee on Public Buildings.

Assembly Bill No. 156, above reported, read first and second times and referred to the Committee on Public Lands.

Assembly Bill No. 587, above reported, read first and second times and referred to the Del Norte delegation.

Assembly Bill No. 622, above reported, read first and second times and referred to the San Mateo delegation.

Assembly Bill No. 663, above reported, read first and second times and referred to the Napa delegation.

Assembly Bills Nos. 664 and 665, above reported, were severally read a first and second times and referred to the Calaveras delegation.

Assembly Bill No. 672, above reported, read first and second times and referred to the Yuba delegation.

Assembly Bill No. 679, above reported, read first and second times, rules suspended, bill read a third time and passed.

Assembly Bill No. 671, above reported, read first and second times and referred to the Committee on Education.

Assembly Bill No. 662, above reported, read first and second times and referred to the Committee on State and County Revenue.

Assembly Bill No. 646, above reported, read first and second times and referred to the Committee on Commerce and Navigation.

Assembly Bill No. 673, and Assembly Bill No. 655, above reported, were severally read a first and second times and referred to the San Francisco delegation.

Senate Bill No. 344, above reported, Assembly amendments concurred in by the Senate.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Irwin—An Act to authorize the Board of Supervisors of Monterey County to submit to the qualified electors thereof the question of division of said county at the next Presidential election, and to provide for the organization and maintenance of a new county, to be called San Benito County.

Read first and second times and referred to the Judiciary Committee.

By Mr. Keys—An Act supplementary to an Act entitled an Act to provide for the erection of a Court House and Jail in the County of Stanislaus, approved February first, eighteen hundred and seventy two.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Boggs—An Act in relation to the Superintendent of the State Insane Asylum.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Goodale—An Act concerning roads and highways in Contra Costa County.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Boucher—An Act amendatory of and supplementary to an Act concerning roads in the County of Butte, approved March twelfth, eighteen hundred and seventy-two.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Wand—An Act to provide for paving the streets in the City and County of San Francisco, and for the repair thereof.

Read first and second times and referred to the San Francisco delegation.

By Mr. Maclay—An Act to provide for the opening and improvement of Santa Clara and Alviso Avenue, in the County of Santa Clara.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

Also, an Act providing for the refunding of the bonded indebtedness of the County of Santa Clara.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

Also, an Act for the relief of George F. Allardt.

Read first and second times, and, with accompanying documents, referred to the Committee on Claims.

By Mr. Minis—An Act to authorize and empower the Board of Trustees of the Town of Suisun City to grade and improve the streets and alleys of said town.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Garratt—An Act to supply the City and County of San Francisco with water.

Read first and second times and referred to the San Francisco delegation.

By Mr. Pendegast—An Act supplementary to an Act entitled an Act to authorize the distribution of the Reports of the State Geological Survey, approved February second, eighteen hundred and seventy two.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

[Mr. Perkins in the chair.]

On motion of Mr. Finney, the vote, by which Assembly Bill No. 622 was referred to the San Mateo delegation, was reconsidered.

And on motion of Mr. Irwin, the bill was referred to the Judiciary Committee.

RESOLUTION.

By Mr. Van Ness:

Resolved, That when the Senate adjourns to-day, it will adjourn to meet at two o'clock and thirty minutes P. M., Monday, the twenty-fifth instant.

Lost.

REPORT.

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 377—An Act to authorize the Trustees of the Town of Colusa to call an election of the qualified voters of said town to vote upon the continuance or dissolution of the municipal corporation of said town.

Also, Senate Bill No. 464—An Act to authorize the Napa Ladies Seminary to grant diplomas.

Also, Senate Bill No. 379—An Act to authorize Margaret McDanel, administratrix of the estate of Thomas McDanel, deceased, to borrow money to pay the debts of the estate.

Also, Senate Bill No. 393—An Act to authorize the Board of Supervisors of San Joaquin County to appropriate money for the use of the San Joaquin Valley Agricultural Society.

Also, Senate Bill No. 383—An Act to amend an Act entitled an Act to regulate and license places of public amusements, approved April thirteenth, eighteen hundred and sixty-three.

NEFF, for Committee.

At one o'clock and ten minutes P. M., Mr. Fowler moved to adjourn until Monday next, at two o'clock and twenty five minutes P. M.

Upon which the ayes and noes were demanded by Messrs. O'Connor, Tuttle, and Neff, and the Senate so ordered by the following vote:

AYES—Messrs. Beck, Boggs, Crane, Duffy, Fowler, Farley, Garratt, Irwin, Kent, Maclay, McMurry, O'Connor, Oulton, Tompkins, Van Ness, and Wing—16.

NOES—Messrs. Banyard, Boucher, Comte, De Haven, Dyer, Goodale, Keys, Larkin, McCoy, McKusick, Minis, Neff, Turner, and Tuttle—14.

At one o'clock and fifteen minutes P. M., the Senate adjourned until Monday next, at two o'clock and twenty-five minutes P. M.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Monday, March 25th, 1872.

Senate met pursuant to adjournment.
President pro tem in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.

The reading of the Journal of Saturday was dispensed with and considered approved.

REPORTS.

Reports were made as follows:

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 474—An Act providing for the refunding of the bonded indebtedness of the County of Santa Clara.

Also, Senate Bill No. 476—An Act to authorize and empower the Board of Trustees of the Town of Suisun City to grade and improve the streets and alleys of said town.

NEFF, for Committee.

By Mr. Maclay:

Mr. PRESIDENT: Your committee, to whom was referred Assembly Bill

No. 400—An Act to enforce the responsibility of the stockholders in corporations as prescribed by the constitution, and to provide for the prompt payment of demands against such corporations—have had the same under consideration, report the same back and recommend its passage.

Also, have had under consideration substitute for Assembly Bill No. 539—An Act supplemental to an Act entitled an Act to provide for the formation of corporations for the accumulation of funds and savings—report the same back and recommend that it pass.

Also, have had under consideration Senate Bill No. 421—An Act to regulate rates of telegraphing in this State—report the same back and recommend that it do not pass.

MACLAY, Chairman.

By Mr. Fowler:

Mr. President: Your Committee on Public Lands, to whom was referred Senate Bill No. 169—An Act to prevent duplicate sales of the same land—having considered the same, beg leave to report said bill back and recommend its passage.

Your committee have also considered Assembly Bill No. 603—An Act to release the claim of the State of California to certain lands in township eleven (11) north, range four east, Mount Diablo base and meridian—and report the same back recommending its passage.

FOWLER, Chairman.

By Mr. Beck:

Mr. President: The Committee on Public Buildings, on the seventeenth instant, visited the "University site" at Berkeley, and beg leave to submit the following report:

The committee was very favorably impressed with the location of the site and all the surroundings appertaining to the University, which reflects much good taste and clear judgment on behalf of the Regents of the University. The able and lucid report of the Regents, which is now before the Legislature, precludes the necessity of us, at this time, going into anything like an elaborate statement of facts touching the history of our State University. It is something in which we all have an interest, and should be the cherished object of legislation, knowing that universities, whenever and wherever established—in France, England, or Germany—have given an impetus to letters which only the founding of universities has been able to bring about. And we are of opinion that when the University at Berkeley is put on a firm basis of support, it will be established on a more promising basis than any of the universities in the old or new worlds, in that the tuition will be free to all and its portals opened to both sexes—which latter will tend not only to create a healthy emulation in the departments of literature and science, but will have a refining effect, which only the mingling of the sexes can superinduce.

The committee are heartily inspired in the success of the University, and recommend all necessary legislation looking to the consummation of so noble an enterprise.

BECK, for Committee.

By Mr. Tuttle:

Mr. President: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 423—An Act to authorize the Board of Supervisors of Yolo County to approve and certify claims against Swamp Land District Number Eighteen.

Also, Senate Bill No. 469—An Act in relation to the Superintendent of the State Insane Asylum.

Also, Senate Bill No. 468—An Act supplementary to an Act entitled an Act to provide for the erection of a Court House and Jail in the County of Stanislaus, approved February first, eighteen hundred and seventy-two.

Also, Senate Bill No. 444—An Act to protect growing crops and grain in the County of Inyo.

Also, Senate Bill No. 473—An Act to provide for the opening and improvement of Santa Clara and Alviso Avenue, in the County of Santa Clara.

Also, Senate Bill No. 471—An Act amendatory of and supplementary to an Act concerning roads in the County of Butte, approved March tenth, eighteen hundred and seventy-two.

TUTTLE, for Committee.

By Mr. Wilson:

Mr. President: Your Committee on Agriculture, to whom was referred Assembly Bill No. 553—An Act for the encouragement of irrigation—having carefully considered the same, beg leave to report that they realize the necessity of encouraging all practicable schemes of irrigation upon the dry lands of our State, and finding said bill carefully drawn and well guarded in the interest of the country, your committee believe it perfectly safe and proper to intrust the matter to the vote of the people directly interested. Your committee therefore report the same back and recommend its passage.

Your committee have also had under consideration Senate Bill No. 456—An Act to encourage the production of silk in the State of California—and report the same back, with a recommendation that it do not pass.

WILSON, Chairman.

Mr. Fowler verbally reported Assembly Bill No. 518, and recommended its passage.

By Mr. Wand:

Mr. President: The San Francisco delegation have had the following bills under consideration and report them back as follows:

Senate Bill No. 472—An Act to provide for paving the streets in the City and County of San Francisco, and for the repair thereof.

Amended, and passage recommended as amended.

Also, Senate Bill No. 477—An Act to supply the City and County of San Francisco with water.

Passage recommended.

Also, Assembly Bill No. 673—An Act to authorize the conveyance of a certain lot of land in the City and County of San Francisco to the Ladies' Protection and Relief Society.

Amended, and passage recommended as amended.

Also, Assembly Bill No. 383—An Act to provide and pay for services rendered for the City and County of San Francisco.

Amended, and passage recommended as amended.

Also, Assembly Bill No. 655—An Act to authorize the Board of Supervisors of the City and County of San Francisco to appropriate money for the improvement of Washington Plaza, in said city and county.

Passage recommended.

WAND, for Delegation.

By Mr. Irwin:

Mr. President: Your Committee on Elections have had under consideration Assembly Bill No. 59—An Act to fix the time for holding elections for Members of Congress, and to repeal certain Acts—and now report the same back with an amendment, and ask that the amendment be adopted and the bill passed as amended.

IRWIN, Chairman.

Mr. Larkin verbally reported Assembly Bill No. 662, and recommended its passage.

By Mr. Pendegast:

Mr. President: The Committee on Counties and County Boundaries have considered Assembly Bill No. 582—An Act to authorize the Board of Supervisors of Trinity County to levy a tax for surveying purposes—and now report the same back to the Senate.

Perhaps the bill did not properly belong to the Committee on Counties and County Boundaries, as it only provides for the levy of a special tax in Trinity County, but it seems that the said tax is only to pay the expenses of a survey proposed by a bill heretofore favorably reported by this committee, one of the objects of which is to define to a certainty some of the lines of said county now in doubt.

We find no objection to the bill, and therefore recommend its passage.

PENDEGAST, Chairman.

Mr. Minis verbally reported Assembly Bills Nos. 116 and 707, and recommended their passage.

Mr. De Haven verbally reported Assembly Bill No. 587, with amendments, and recommended its passage as amended.

Mr. Dyer verbally reported Assembly Bill No. 665, and recommended its passage.

The rules were suspended, and Assembly Bill No. 665, above reported, was read a third time and passed.

Mr. Gwin verbally reported Assembly Bill No. 664, and recommended its passage.

The rules were suspended, and Assembly Bill No. 664, above reported, was read a third time and passed.

By Mr. McKusick:

Mr. President: Your committee, consisting of the El Dorado delegation, to whom was referred Assembly Bill No. 624—An Act to amend an Act entitled an Act to regulate the fees and salaries of officers and

[illegible] their duties as the County of El Dorado—report the same back with amendments and recommend the passage of the same as amended.

MARKHAM,
LARKIN.

The rules were suspended, and Assembly Bill No. 424 above reported was read a third time and passed as amended.

By Mr. Tompkins:

Mr. Passmore. The Alameda delegation, to whom was referred Assembly Bill No. [illegible]—An Act fixing the salaries of certain county officers of the County of Alameda, and providing means for the payment thereof—have had the same under consideration, and now report the same back, with an amendment, and as amended recommend its passage.

Also, Assembly Bill No. 412—An Act to define the duties of the District Attorney of Alameda County, and to fix his compensation in certain cases—have had the same under consideration, and now report the same back and recommend that it do not pass.

TOMPKINS, Delegation.

On motion of Mr. Tompkins the report of the delegation, recommending that the bill do not pass was adopted.

Mr. Tompkins verbally reported Assembly Bill No. 482, and recommended its passage.

The rules were suspended, and Assembly Bill No. 482, above reported, was read a third time and passed.

By Mr. Betge:

Mr. Passmore. Your Committee on Commerce and Navigation have had under consideration Assembly Bill No. 247—An Act concerning pilots—and report the same back, and recommend its passage as amended.

Also, Assembly Bill No. 305—An Act to regulate wharfage on the wharves and public docks in the Harbor of San Francisco—report the same back without recommendation.

BETGE, Chairman.

On motion of Mr. Estey, the rules were suspended, and the amendments reported on Assembly Bill No. 247 were adopted, bill read a third time and passed.

Mr. Crane verbally reported Assembly Bill No. 7[illegible], and recommended its passage.

The rules were suspended, bill read a third time and passed.

Mr. Wilson verbally reported Assembly Bill No. 402, and recommended its passage.

The rules were suspended, bill read a third time and passed.

Mr. Moss verbally reported Assembly Bill No. 537, and recommended its passage.

The rules were suspended, bill read a third time and passed.

Mr. Evans verbally reported Assembly Bill No. 642, with amendments, and recommended its passage.

The rules were suspended, amendments adopted, bill read a third time and passed.

By Mr. Pendegast:

Mr. PRESIDENT: The Mendocino delegation have considered Assembly Bill No. 391—An Act to regulate and define the fees in the Sheriff's office in the County of Mendocino—report the same back to the Senate, and respectfully recommend its passage.

PENDEGAST, for Delegation.

Mr. Keys verbally reported Senate Bill No. 330, without recommendation.

By Mr. Pendegast:

Mr. PRESIDENT: The Napa delegation, having considered Assembly Bill No. 568—An Act to provide for a street railroad in the Town and County of Napa, State of California—now report it back, and respectfully recommend its passage.

PENDEGAST, for Delegation.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 416—An Act making an appropriation for deficiencies for the twenty third fiscal year, ending the thirtieth day of June, eighteen hundred and seventy-two.

Also, Senate Bill No. 350—An Act to establish and maintain a dispensary in the City of Sacramento.

Also, Senate Bill No. 371—An Act to provide for the settlement of the value of school property in the several school districts that were adjacent to the City of Stockton, and which was by Act of the Legislature approved January twenty-sixth, eighteen hundred and seventy, included within the limits of said city.

Also, Senate Bill No. 425—An Act to prevent hogs from running at large in the Town of Red Bluff.

Also, Senate Bill No. 268—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one.

Also, Senate Bill No. 419—An Act to amend an Act entitled an Act concerning public roads and highways in the Counties of Santa Cruz and San Diego, approved March twenty-first, eighteen hundred and seventy.

Also, Senate Bill No. 220—An Act to amend an Act entitled an Act to authorize and require the County of Santa Cruz to pay over certain school moneys to certain school districts in San Mateo County, approved March twenty-seventh, eighteen hundred and seventy.

Also, Senate Bill No. 254—An Act to amend an Act entitled an Act to

provide for the formation of corporations for certain purposes, approved April fourteenth, eighteen hundred and fifty-three.

NEWTON BOOTH, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March, 1872.

To the Senate of the State of California:

Senate Bill No 264—An Act concerning the San Diego and Gila Southern Pacific and Atlantic Railroad Company, and to extend the time of performing certain acts—is herewith respectfully returned to your honorable body, without my approval.

Under the original Act, the provisions of which are sought by this bill to be extended for the third time, the City of San Diego ceded to the railroad company two leagues of the pueblo lands. The statute authorizing the deed to be executed was enacted in eighteen hundred and fifty five, and made an affirmative vote of the residents of that city a prerequisite condition: and provided, also, that the road must be completed by May, eighteen hundred and sixty-five, under penalty of forfeiture.

Whether the question was submitted to a vote or not, within the time required by law, might be a subject of pertinent inquiry. Although the Legislature has perhaps confirmed the deed, which was not made until eighteen hundred and sixty eight, if the vote was not taken the deed was unauthorized; if it was taken, the title to the land passed as part of the obligation of a contract, and is therefore not subject to legislative interference.

The railroad company have now been given nineteen years in which to construct their road, and instead of having completed it seven years ago, as required by the original Act, they have done nothing beyond making preliminary surveys. The time for its completion having been already extended until eighteen hundred and seventy four, I cannot see that any reasonable cause at present exists for a further extension. No vested rights can be jeopardized, nor equities disturbed, by the failure of this bill to become a law. Before any lapse of existing privileges can occur another session of the Legislature must be held, and there will then, if the power exists at all, be ample opportunity to grant such privileges as a better showing of actual work may warrant.

NEWTON BOOTH, Governor.

Mr. McCoy moved to lay the consideration of the Governor's message, returning without his approval Senate Bill No. 264, upon the table.

Upon which the ayes and noes were demanded by Messrs. O'Connor, Larkin, and Tuttle, and the Senate refused by the following vote:

AYES—Messrs. Banvard, Betge, Boggs, Conte, Duffy, Evans, Hutchings, Keys, Maclay, McCoy, Van Ness, and Wilson—12.

NOES—Messrs. Andross, Beek, Boucher, De Haven, Dyer, Farley, Finney, Fowler, Garratt, Goodale, Irwin, Kent, Larkin, McKusick, McMurry, Mims, Neff, O'Connor, Oulton, Pentegast, Perkins, Tompkins, Turner, Tuttle, Wand, and Wing—26.

On motion of Mr. Larkin, the consideration of the Governor's message was made the special order for Wednesday next, at twelve o'clock M.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
March 25d, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this 23d day of March, passed Senate Bill No. 454—An Act to reincorporate the City of Stockton.

Also, on the same day, passed Senate Bill No. 59—An Act to legalize the assessment of taxes for the years eighteen hundred and sixty-eight, eighteen hundred and seventy, and eighteen hundred and seventy one, in the County of Sierra.

Also, on the same day, passed Senate Bill No. 75—Providing for the appointment of a Phonographic Reporter in the County of San Joaquin in certain cases.

Also, on the same day, passed Senate Bill No. 450—An Act to amend an Act entitled an Act concerning estrays and animals found running at large in the County of Santa Clara, passed April twenty-seventh, eighteen hundred and sixty-three.

Also, on the same day, passed substitute for Assembly Bill No. 317—An Act to provide for the protection of an open canal through Channel street, in the City and County of San Francisco.

Also, on the same day, passed substitute for Assembly Bill No. 207—An Act to amend an Act entitled an Act to establish a Paid Fire Department for the City and County of San Francisco, approved March second, eighteen hundred and sixty-six.

Also, on the same day, passed Assembly Bill No. 659—An Act supplementary to and amendatory of an Act to protect agriculture and to prevent the trespassing of animals upon private property, approved March twenty-sixth, eighteen hundred and sixty-six, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, on the same day, passed Assembly Bill No. 725—An Act to authorize the Supervisors of Lake County to issue bonds for the construction of a public road in said county.

BORUCK, Chief Clerk.

ASSEMBLY CHAMBER,
March 25th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this twenty fifth day of March, passed Assembly Bill No. 727—An Act to authorize R. N. Steene to construct and maintain a wharf at Soda Bay, in the County of Lake.

Also, on the same day, passed Assembly Bill No. 728—An Act to amend an Act entitled an Act to amend the city charter of Los Angeles, approved February twentieth, eighteen hundred and seventy-two.

Also, on the same day, passed Assembly Joint Resolution No. 32—Relative to protecting the inhabitants of Klamath, Humboldt, and Del Norte from Indian spoliations.

Also, on the same day, passed Senate Bill No. 328—An Act to provide

for the establishment of a public highway and ferry on the San Joaquin River, in the County of Stanislaus.

Also, on the same day, passed Senate Bill No. 335—An Act concerning the fees and salaries of certain officers in the County of Sonoma.

Also, on the same day, passed Senate Bill No. 336—An Act to repeal an Act concerning roads and highways in the County of Sierra, approved March twenty fifth, eighteen hundred and seventy.

Also, on the same day, passed Senate Bill No. 100—An Act concerning streams in the County of Santa Clara.

Also, on the same day, passed Senate Bill No. 342—An Act appropriating fifty-six thousand dollars, in United States legal tender notes, for the payment of the necessary incidental expenses of the State Capitol and Governor's Mansion.

Also, on the same day, passed Senate Bill No. 355—An Act concerning the office of Treasurer of Sierra County.

Also, on the same day, passed Senate Bill No. 357—An Act to amend an Act entitled an Act concerning roads in the Counties of Santa Barbara and San Luis Obispo, approved February twenty first, eighteen hundred and seventy-two.

Also, on the same day, passed Assembly Bill No. 615—An Act to open and establish a public street in the City and County of San Francisco, to be called Montgomery Avenue, and to take private lands therefor.

Also, on the same day, passed substitute for Assembly Bill No. 572—To provide for the School Department of the City and County of San Francisco, and for other purposes.

BORUCK, Chief Clerk.

ASSEMBLY CHAMBER,
March 23d, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this twenty third day of March, ordered me to return to the Senate substitute to Assembly Bills Nos. 213 and 284—An Act to protect agriculture and to prevent the trespassing of animals upon private property—for the purpose of obtaining a correct copy of an amendment to section sixteen of said substitute, which has been mutilated after its receipt from the Senate.

BORUCK, Chief Clerk.

ASSEMBLY CHAMBER,
March 25th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this twenty fifth day of March, passed Assembly Joint Resolution No. 35—Authorizing the Controller of State to deliver certain vouchers in his office, relative to the indebtedness of the General Government to the State of California, to Commissioners within named.

BORUCK, Chief Clerk.

ASSEMBLY CHAMBER,
March 25th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-third day of March, passed Assembly Bill No.

366—An Act to amend an Act entitled an Act to amend an Act to provide for a system of common schools, approved April fourth, eighteen hundred and seventy.

Also, on the same day, passed Assembly Bill No. 681—An Act to encourage the destruction of squirrels and gophers in the Counties of Santa Barbara and San Luis Obispo.

Also, on the same day, passed Assembly Bill No. 688—An Act to legalize the levy of the special tax in Solano County for the fiscal year of eighteen hundred and seventy-one and eighteen hundred and seventy-two.

Also, on the same day, passed Assembly Bill No. 675—An Act to provide for the better security of the life of the operatives of machinery propelled by steam.

Also, on the same day, passed Assembly Bill No. 680—An Act authorizing the Board of Supervisors of Merced County to levy a special tax for road purposes.

Also, on the same day, passed Assembly Bill No. 684—An Act providing for the survey of the line forming the portion of the southern boundary of Siskiyou County and the northern boundary of Lassen County.

Also, on the same day, passed Assembly Bill No. 700—An Act for the relief of purchasers of State lands.

Also, on the same day, passed Assembly Bill No. 573—An Act to encourage the planting and cultivation of oysters in certain portions of the Bay of Monterey and in the tide waters and tributary sloughs of the Salinas River.

Also, on the same day, passed Assembly Bill No. 457—An Act to facilitate the settlement of vacant lands in the State of California.

Also, on the same day, passed Assembly Bill No. 689—An Act to better define the duties and fix the compensation of the Superintendent of Public Schools in Solano County.

Also, on the same day, passed Assembly Bill No. 701—An Act to amend an Act to regulate proceedings in civil cases in the Courts of justice in this State, approved April twenty-ninth, eighteen hundred and fifty-one.

Also, on the same day, passed Assembly Bill No. 718—An Act to empower the Board of Supervisors of Klamath County to levy a special tax for a certain purpose.

Also, on the same day, passed Assembly Bill No. 332—An Act authorizing the construction and maintenance of a bridge across Petaluma Creek, in the City of Petaluma.

Also, on the same day, passed Assembly Bill No. 548—An Act to amend an Act entitled an Act to establish pilots and pilot regulations for the Ports of San Francisco, Mare Island, Vallejo, and Benicia, approved March twenty-second, eighteen hundred and seventy.

Also, on the same day, passed Assembly Bill No. 661—An Act to amend an Act entitled an Act concerning roads and highways in the County of Sacramento, approved April second, eighteen hundred and seventy.

Also, on the same day, passed Senate Bill No. 302—An Act to regulate the practice of pharmacy in the City and County of San Francisco.

Also, on the same day, passed Senate Bill No. 372—An Act for the relief of certain parties holding property on Market street, in the City and County of San Francisco.

Also, on the same day, passed Senate Bill No. 439—An Act to empower

the Trustees of Mountain View Cemetery Association to mortgage a portion of the lands belonging to such association.

Also, on the same day, passed Senate Bill No. 320—An Act to protect agriculture and to prevent the trespassing of animals in the County of Colusa.

Also, on the same day, passed, with amendments, Assembly Bill No. 726—An Act to legalize applications heretofore made for the purchase of lands belonging to this State, and to confirm the title of the purchasers under such applications.

BORUCK, Chief Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 727, above reported, read first and second times and referred to the Lake delegation.

Assembly Bill No. 366, above reported, read first and second times and referred to the Committee on Education.

Assembly Bill No. 681, above reported, read first and second times and referred to the Santa Barbara delegation.

Assembly Bill No. 688, above reported, read first and second times and referred to the Solano delegation.

Assembly Bill No. 675, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 680, above reported, read first and second times and referred to the Merced delegation.

Assembly Bill No. 684, above reported, read first and second times and referred to the Committee on Swamp and Overflowed Lands.

Assembly Bill No. 573, above reported, read first and second times and referred to the Monterey delegation.

Assembly Bill No. 457, above reported, read first and second times and referred to the Committee on Public Lands.

Assembly Bill No. 728, above reported, read first and second times, rules suspended, bill read a third time and passed.

Assembly Bill No. 681, above reported, read first and second times and referred to the Siskiyou and Lassen delegations.

Assembly Bill No. 689, above reported, read first and second times and referred to the Solano delegation.

Assembly Bill No. 701, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 718, above reported, read first and second times and referred to the Klamath delegation.

Assembly Bill No. 532, above reported, read first and second times and referred to the Committee on Commerce and Navigation.

Assembly Bill No. 548, above reported, read first and second times and referred to the Committee on Commerce and Navigation.

Assembly Bill No. 661, above reported, read first and second times and referred to the Sacramento delegation.

Assembly Bill No. 726, above reported, read first and second times and referred to the Judiciary Committee.

Substitute for Assembly Bill No. 587, above reported, read first and second times and referred to the Klamath delegation.

Substitute for Assembly Bill No. 317, above reported, read first and second times and referred to the San Francisco delegation.

Substitute for Assembly Bill No. 207, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 659, above reported, read first and second times and referred to the Committee on Agriculture.

Assembly Bill No. 725, above reported, read first and second times and referred to the Lake delegation.

Assembly Bill No. 615, above reported, read first and second times and referred to the San Francisco delegation.

Substitute for Assembly Bill No. 572, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Joint Resolution No. 32, above reported, read first and second times and ordered on file.

Assembly Joint Resolution No. 33, above reported, read first and second times, rules suspended, resolution read a third time and adopted.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Banvard—An Act concerning the District Tax Collector of Placer County.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Oulton—An Act to authorize the Commissioners of the funded debt of the City of San Francisco to transfer certain funds and property to said city.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. McMurry—An Act to provide for the incorporation of tram-road companies in the County of Shasta.

Read first and second times and ordered on file.

By Mr. Minis—An Act supplementary to an Act to prevent the trespassing of animals upon private property, approved March twenty-sixth, eighteen hundred and sixty-six.

Read first and second times and ordered on file.

By Mr. Comte—An Act to give immediate effect to certain provisions of the Political Code.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Maclay—An Act to legalize the deeds to lands in the Town of Santa Clara, Santa Clara County.

Read first and second times and referred to the Judiciary Committee.

By Mr. McKusick—An Act to authorize the Board of Supervisors of El Dorado County to levy a special tax.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

[Mr. O'Connor in the chair.]

RESOLUTIONS.

By Mr. Evans:

Resolved, That the Secretary of the Senate be and he is hereby instructed to divide the bills which now are or may hereafter be placed on file into two classes—general and special—according to their character, and shall make up two files, one to be known as the General File, and the other as the Special File.

Resolved, That from and after this date evening sessions of the Senate shall be held, commencing at half past seven o'clock P. M., unless otherwise ordered by the Senate; at which sessions the Special File shall be considered as the special order in preference to all other business.

Mr. Irwin offered the following substitute for the resolution:

Resolved, That the Senate hold night sessions hereafter, commencing this Monday evening, March twenty-fifth, eighteen hundred and seventy-two, and continuing, unless otherwise ordered, till the adjournment, sine die, of the Legislature, said session to commence at seven and a half o'clock each evening; the night session shall be set apart for the consideration of bills on the General File in the following manner, to wit: commencing at the head of the file each evening, the title or bills shall be read in the order in which they occur; when the title of any bill is read, if there be no objections made, the bill shall be taken up and considered; if, however, any Senator objects, it shall be passed on file without debate, and the title of the next bill on file shall be read; the Senate shall proceed in this manner at each night session until it adjourns or until it shall have gone through with the General File.

Mr. Pendegast offered the following as a substitute for both resolutions:

Resolved, That the Secretary of the Senate be authorized and required to prepare two files, one a Special File, upon which shall be placed all bills of a special character, and one a General File, upon which shall be placed all bills of a general character.

Resolved, further, That the Senate will, on Tuesday, the twenty-sixth of March, hold a session from ten o'clock A. M., until five o'clock P. M., exclusive of the hour for recess now provided for by the rules, at which session the ordinary business of the day shall be attended to and the bills on the General File considered; and that the Senate shall further hold an evening session on said day, commencing at seven o'clock and thirty minutes P. M., at which session the bills on the Special File shall be considered, to the exclusion of all other business, except messages from the Governor and from the Assembly.

Resolved, further, That this order shall continue and be in force during each remaining day of the present session of the Senate.

The resolutions were laid over for one day.

By Mr. Evans:

Resolved by the Senate, the Assembly concurring, That the report of the Commissioner in Lunacy be distributed in the following manner: That one thousand copies be sent to the public libraries in the City of Francisco, one thousand copies to the Superintendent of the Insane Asylum at Stockton, one thousand copies to be forwarded by the Secretary of State to such persons and institutions as the Commissioner may direct, and that the remaining copies, five hundred copies of which shall be bound by the State Printer, be kept by the State Librarian to supply future demands.

Adopted.

INTRODUCTION OF A BILL.

Mr. Farley had leave to introduce the following bill—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-two.

Read first and second times and referred to the Judiciary Committee.

RESOLUTIONS.

By Mr. Van Ness:

Resolved, That the sum of two dollars per day be and is hereby allowed to James Saultry, for services rendered as Day Watchman and Door Keeper of the Senate, from the beginning of the session to the second day of April, eighteen hundred and seventy-two, and that such sum total be paid out of the appropriation for the contingent expenses of the Senate.

Referred to the Committee on Contingent Expenses.

By Mr. Minis:

Resolved, That no Senator be allowed to speak more than five minutes on any bill or resolution, at the same stage of its passage, nor more than twice, without unanimous consent.

Laid on the table for one day.

By Mr. Boggs—Concurrent resolution relative to a mail route from Grafton, Yolo County, by way of Prairie, Antelope, and Spring Valley, to Princeton, Colusa County.

Rules suspended, and resolution adopted.

GENERAL FILE.

Senate Bill No. 157—An Act to regulate the erection of public buildings and structures.

Read a third time and passed.

Senate Bill 390—An Act in relation to the State Printer.

Read a third time and passed.

Senate Bill No. 300—An Act to legalize certain proceedings of the Board of Supervisors of Yolo County.

The bill was read a third time; and, upon its passage, the ayes and noes were demanded by Messrs. Larkin, Tompkins, and Oulton, and the bill was passed by the following vote:

AYES—Messrs. Andross, Banvard, Betge, Boucher, Duffy, Dyer, Farley, Hutchings, Irwin, Kent, Keys, Mackay, McCoy, Minis, Pendegast, Perkins, Tuttle, Van Ness, Waud, and Wing—20.

NOES—Messrs. Beck, Comte, Crane, De Haven, Garratt, Larkin, McKusick, McMurry, O'Connor, Oulton, Tompkins, Turner, and Wilson—13.

Senate Bill No. 248—An Act amendatory of an Act entitled an Act to reduce and establish pay of members of the Legislature.

Amendment reported by the Committee on Mileage adopted, rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 417—An Act to repeal an Act granting certain powers to the Board of Supervisors of San Francisco.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 209—An Act concerning the military of the State of California.

Indefinitely postponed.

Senate Bill No. 437—An Act concerning persons under sentence of imprisonment in the County Jail of Napa County.

Amended, rules suspended, bill considered engrossed, read a third time and passed.

[President pro tem in the chair.]

Senate Bill No. 398—An Act to provide for the payment of legal services rendered the State by Samuel Cross.

Amendments reported by Committee on Claims adopted, rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 51—An Act to compensate J. G. Jenkins for legal services rendered the State during the years eighteen hundred and sixty-eight and eighteen hundred and seventy.

Substitute reported by Committee on Claims adopted, rules suspended, bill considered engrossed, read a third time and passed.

[Mr. Perkins in the chair.]

Assembly Joint Resolution No. 16—Relative to occupation of Hoopa Valley as an Indian Reservation.

Amended, read a third time and adopted; title amended, and amendment to title adopted.

Assembly Bill No. 589—An Act to provide for the payment of the salaries and fees of the officers of Alpine County.

Read a third time and passed.

SPECIAL ORDER.

Motion to reconsider Senate Bill No. 245—An Act in relation to gaming.

On motion of Mr. Minis, the consideration of the special order was postponed until to-morrow, at three o'clock P. M.

At five o'clock and forty-five minutes P. M., on motion of Mr. Fowler, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Tuesday, March 26th, 1872.

Senate met pursuant to adjournment.
President pro tem in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
The reading of the Journal of yesterday was dispensed with and considered approved.

REPORTS.

Reports were made as follows:

By Mr. Perkins:

Mr. PRESIDENT: The Committee on Claims, to whom was referred Assembly Bill No. 76—An Act to provide for the payment of the State's portion of the salary of the County Auditor and Assessor of Mariposa County—have had the same under consideration and respectfully report the bill back with an amendment, and recommend the adoption of the amendment and the passage of the bill as amended.

Also, have had under consideration Senate Bill No. 412—An Act concerning the State military—and report the same back to the Senate with the recommendation that it do not pass.

PERKINS, Chairman.

By Mr. Banvard:

Mr. PRESIDENT: The Committee on Finance, to whom was referred Senate Bill No. 453—An Act for the relief of persons holding certain certificates of purchase issued by the Board of Tide Land Commissioners—having had the same under consideration, herewith report it back and recommend that it be indefinitely postponed.

Also, Assembly Bill No. 524—An Act making an appropriation for translating into Spanish the several State documents and reports ordered during the present session of the Legislature—after due consideration report the same back and recommend its passage.

Also, Assembly Bill No. 450—An Act to provide for the purchase of stationery, blank books, light, fuel, furniture, etc., for State officers and members of the Legislature—and majority of the committee recommend its passage.

BANVARD, Chairman.

By Mr. Beck:

Mr. PRESIDENT: The Committee on Public Buildings and Grounds have had under consideration Assembly Bill No. 461—An Act granting certain lands and buildings known as the State Reform property to the City of Marysville, which property consists of some eighty-five acres of upland and fifteen acres of bottom land, about four miles north of Marysville. It will be observed that by the terms of the deed this property was granted to the State conditional that it should be used as a site for a State Reform School, State University, State Insane Asylum, or for any other

public State institution. It not having been used for any of the aforesaid purposes nor for any State purpose for several years past, has in law and equity reverted to the City of Marysville. The committee find the building which was once used for a Reform School in quite a dilapidated condition, and furthermore, that they know of no use to which the State could profitably apply it, thereupon recommend the passage of the bill.

BECK, for Committee.

Mr. Van Ness, from the Committee on Federal Relations, verbally reported Assembly Joint Resolution No. 21, and substitute for Assembly Joint Resolution No. 18, with recommendation of a majority of the committee that they pass.

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate bill No. [illegible]—An Act to provide for the payment of legal services rendered the State by Samuel Cross.

Also, Senate Bill No. 178—An Act supplementary to an Act entitled An Act to authorize the distribution of the Reports of the State Geological Survey, approved February second, eighteen hundred and seventy-two.

Also, Senate Bill No. 447—An Act to amend an Act to regulate the rights of owners of mines approved April first, eighteen hundred and seventy.

NEFF, for Committee.

By Mr. Hutchings:

Mr. PRESIDENT: The Committee on Enrollment have examined and find correctly enrolled Senate Bill No. 75—An Act providing for the appointment of a Phonographic Reporter in the County of San Joaquin in certain cases.

Also, Senate Bill No. 381—An Act to enable the heirs or the next of kin of Thomas Spriggs, deceased, to inherit his estate.

Also, Senate Bill No. 405—An Act for the protection of fish and game in certain portions of Napa County.

Also, Senate Concurrent Resolution No. 48—Requesting the Governor to appoint Commissioners to International Exposition to be held at Vienna in eighteen hundred and seventy three.

And have presented the same to the Governor this day at four o'clock P. M.

HUTCHINGS.

By Mr. Hutchings:

Mr. PRESIDENT: The Committee on Enrollment have examined and find correctly enrolled Senate bill No. 367—An Act to empower the City of Stockton to fund its school debt, and for school purposes.

Also, Senate Bill No. 297—An Act to authorize the payment of Mrs. Eliza McLean, for supplies furnished the State Marine Hospital in the years eighteen hundred and fifty-three and eighteen hundred and fifty-four.

Also, Senate Bill No. 374—An Act to provide for the support of the University of California.

Also, Senate Bill No. 443—An Act to authorize a special tax in Siski-

you and Klamath Counties for the construction of a wagon road from Scott Valley, in Siskiyou County, to Sawyer's Bar, in Klamath County.

And have presented the same to the Governor this day at three o'clock P. M.

HUTCHINGS, Chairman.

[Mr. O'Connor in the chair.]

By Mr. Tompkins:

Mr. PRESIDENT: The Committee on Judiciary have had under consideration Senate Bill No. 486—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-two—and report the same back and recommend its passage.

Also, Assembly Bill No. 675—An Act to provide for the better security of the life of the operatives of machinery propelled by steam.

Also, Assembly Bill No. 701—An Act to amend an Act to regulate proceedings in civil cases in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one.

And report the same back and recommend that they do not pass.

Also, have had under consideration Assembly Bill No. 726—An Act to legalize applications heretofore made for the purchase of lands belonging to this State, and to confirm the title of the purchasers under such applications.

Also, Assembly Bill No. 442—An Act to protect free bridges from injury.

And report the same back with amendments to each bill, and recommend the adoption of the amendments and the passage of the bills as severally amended.

Also, report back Senate Bill No. 326—An Act to promote irrigation.

The committee have had under consideration this bill, insofar as the question was involved upon which it was submitted to them, and upon which the committee say that they find no legal objection to the passage of the bill.

Also, have had under consideration Assembly Bill No. 622—An Act to authorize certain persons to improve the Pescadero and Butano Creek, and to erect booms thereon—and report the same back.

The committee see no reason to change their views, heretofore expressed by them, in relation to the policy of making such grants as are intended to be conferred by this bill, and therefore recommend that it do not pass.

Also, Senate Bill No. 484—An Act to legalize the deeds to lands in the Town of Santa Clara, Santa Clara County—and report the same back.

There was nothing shown to the committee which would prevent the Trustees of the Town of Santa Clara from correcting the deeds referred to in the bill, and as the committee have no knowledge of the nature of the defects sought to be cured, they recommend that the bill do not pass.

The committee have carefully considered the petition of Alfred Moulin to the Legislature of this State, with the accompanying documents, and report the same back. The commitment of Alfred Moulin, referred to in the petition, being by the Circuit Court of the United States, a Court beyond the control of this Legislature, no action can be taken in the premises, and therefore the committee make no recommendation therein.

Also, have had under consideration Senate Bill No. 467—An Act to authorize the Board of Supervisors of Monterey County to submit to

the qualified electors thereof the question of a division of said county, and to provide for the organization and maintenance of a new county, to be called San Benito County.

This bill undertakes to delegate to the voters within Monterey County the power to create a new county out of a part of Monterey County. The right to establish county governments is, by section five, Article XI, of the Constitution, vested exclusively in the Legislature, and thereby the right of the Legislature to delegate that power to the people is, in the opinion of the committee, denied. The bill is, therefore, in their opinion, within the inhibition of the Constitution, and so the committee recommend that it do not pass.

TOMPKINS, Chairman.

The rules were suspended, and Senate Bill No. 486, above reported, was considered engrossed, read a third time and passed, and ordered to be transmitted immediately to the Assembly.

The rules were suspended, and Assembly Bill No. 726, above reported, was taken up, amendments reported by the Judiciary Committee accepted, bill read a third time and passed.

The rules were suspended, and the report of the Judiciary Committee, recommending that Assembly Bill No. 622, above reported, do not pass, was adopted.

[President pro tem in the chair.]

RESOLUTION.

By Mr. Evans:

Resolved by the Senate, the Assembly concurring, That the Enrolling Clerk be and he is hereby authorized and directed to intend me and correct two clerical errors in Senate Enrolled Bill No. 454—An Act entitled an Act to reincorporate the City of Stockton—as follows: on page five, section seventeen, sixteenth line from top of page, change the words "Common Council" to "City Council." On page fifteen, section seventy-three, second line from bottom of page, change the words "Common Council" to "City Council."

Adopted.

On motion of Mr. Tompkins, the rules were suspended, and Assembly Bill No. 613 was taken from the file, read a third time and passed.

REPORT.

By Mr. Banvard:

Mr. PRESIDENT: Your Committee on Finance, to whom was re-referred Assembly Bill No. 487—An Act for the payment of deficiency in the office of Superintendent of Public Instruction—recommend to amend line one of section one, by striking out "four hundred dollars" and inserting instead, "two hundred and sixty-five dollars," and recommend the passage of the bill as amended.

BANVARD, Chairman.

The rules were suspended, and the amendments reported by the Committee on Finance to Assembly Bill No. 487, above reported, were adopted, bill read a third time and passed.

Mr. Minis verbally reported Assembly Bill No. 700, and recommended its passage.

The rules were suspended, and Assembly Bill No. 700, above reported, was read a third time and passed.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 170—An Act concerning roads and highways in Contra Costa County.

TUTTLE, for Committee.

By Mr. Irwin:

Mr. PRESIDENT: Your Committee on Elections, to whom was referred Senate Bill No. 285—An Act in relation to the registration of voters—have had the same under consideration, and beg leave to submit the annexed report:

Messrs. Andross and Turner are opposed to the passage of the bill, Messrs. Wand and Irwin favor its passage, and Mr. Gwin, the other member of the committee, was not present when the bill was considered.

Your committee have also had under consideration the resolution in relation to the expenses incurred by Thomas Beck in the contested election case entitled Flint vs. Beck, and herewith report a resolution, which we respectfully ask may be adopted.

IRWIN, Chairman.

Resolved, That Thomas Beck, respondent in the contested election case entitled Flint vs. Beck, be and he is hereby allowed the sum of one thousand five hundred dollars for his expenses incurred in said case, payable out of the appropriation for the contingent expenses of the Senate; and the Controller is hereby authorized and required to draw his warrant on said appropriation for said amount; and the Treasurer is required to pay the same.

By Mr. Betge:

Mr. PRESIDENT: Your Committee on Commerce and Navigation having had under consideration Assembly Bill No. 250—An Act to declare Lakes Earl and Talowa, and their tributaries, navigable.

Also, Assembly Bill No. 412—An Act to cede certain property to the Town of Trinidad.

Also, Assembly Bill No. 473—An Act to amend an Act entitled an Act to provide for the improvement of the rivers and streams of Santa Clara County.

Also, Assembly Bill No. 646—An Act to prevent the wholesale destruction of certain fish in the Bay of San Francisco, and adjacent bays and waters.

Report the same back, and recommend their passage.

BETGE, Chairman.

By Mr. Beck:

Mr. PRESIDENT: The Monterey delegation, to whom was referred Assembly Bill No. 573—An Act to encourage the planting and cultivation of oysters in certain portions of the Bay of Monterey, and in the

tide waters and tributary sloughs of the Salinas River—report the same back and recommend its passage.

BECK, for Delegation.

By Mr. Keys:

Mr. President: The Merced delegation, to whom was referred Assembly Bill No. 688, report the same back and recommend its passage.

KEYS, for Delegation.

By Mr. Wand:

Mr. President: The San Francisco delegation have had the following bills under consideration, and report them back as follows:

Substitute for Assembly Bill No. 207—An Act to amend an Act entitled an Act to establish a Paid Fire Department for the City and County of San Francisco, approved March second, eighteen hundred and sixty-six.

Passage recommended.

Also, substitute for Assembly Bill No. 317—An Act to provide for the protection of an open canal through Channel street, in the City and County of San Francisco.

Amended, and delegation divided on the passage of the same.

WAND, for Delegation.

By Mr. Crane:

Mr. President: Your committee, to whom was referred Assembly Bill No. 672—An Act to authorize the County of Yuba to issue sixty thousand dollars of bonds for the purpose of constructing and repairing and improving wagon roads and bridges in said County of Yuba—having had the same under consideration, report it back with amendments, and recommend its passage as amended.

HUTCHINGS,
CRANE,
Delegation.

The rules were suspended and Assembly Bill No. 672, above reported, was read a third time and passed as amended by the delegation.

By Mr. Comte:

Mr. President: The Sacramento delegation, to whom was referred Assembly Bill No. 595—An Act supplementary to an Act of April twentieth, eighteen hundred and sixty three, entitled an Act to incorporate the City of Sacramento.

Also, Assembly substitute for Assembly Bills Nos. 407, 388, and 639—An Act to provide the City of Sacramento with a better supply of water.

Report the same back and recommend their passage.

DUFFY,
COMTE,
Delegation.

The rules were suspended, and Assembly substitute for Assembly Bills Nos. 407, 388, and 639, above reported, was read a third time and passed.

On motion of Mr. Beck, the rules were suspended, and Assembly Bill

No. 573, this day reported from the Monterey delegation, was read a third time and passed.

Mr. Tompkins verbally reported Senate Bill No. 459, with amendments, and recommended its passage as amended.

The rules were suspended, and the amendments reported to Senate Bill No. 459 were adopted, bill read a third time and passed.

By Mr. Pendegast:

Mr. PRESIDENT: The Committee on Counties and County Boundaries have had under consideration Assembly Bill No. 342—An Act to divide the State into Congressional Districts.

Also, Assembly Bill No. 343—An Act to define the Senatorial and Assembly Districts of this State and apportion the representation thereof.

Also, Senate Bill No. 249, bearing the same title as the last.

And now report them back without recommendation.

PENDEGAST, Chairman.

On motion of Mr. Pendegast, Assembly Bills Nos. 342 and 343, and Senate Bill No. 249, above reported, were made the special order for Thursday next, at two o'clock P. M.

Mr. Turner verbally reported Senate Bill No. 394, with a substitute, and recommended the passage of the substitute.

The rules were suspended, substitute adopted, considered engrossed, read a third time and passed, and ordered to be transmitted to the Assembly without being engrossed.

Mr. Van Ness verbally reported Assembly Bill No. 681 and recommended it passage.

Mr. Minis verbally reported Assembly Bill No. 678, with amendments, and recommended its passage.

The rules were suspended, bill read a third time and passed.

By Mr. Comte:

Mr. PRESIDENT: The Sacramento delegation, to whom was referred Assembly Bill No. 652—An Act to provide funds for the further reclamation of Swamp Land Districts Numbers Fifty and Fifty-four, in Sacramento County—report the same back, with an amendment, and recommend the adoption of the amendment and reference of the bill to Swamp Land Committee.

DUFFY,
COMTE,
Delegation.

The bill above reported was referred to the Committee on Swamp and Overflowed Lands.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
March 25th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this twenty-fifth day of March, passed substitute for Assembly Bill No. 263—An Act to aid in providing a supply of pure fresh water from Lake Bigler, sometimes called Lake Tahoe, for the use of the inhabitants of the City and County of San Francisco.

Also, on the same day, passed Assembly substitute for Senate Bill No. 189—An Act to provide for a State Reformatory at San Quentin.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 26th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-sixth day of March, eighteen hundred and seventy-two, passed Assembly Bill No. 740—An Act to provide for the issue of bonds in Reclamation District Number One Hundred and Eight.

BORUCK, Chief Clerk.

ASSEMBLY CHAMBER,
March 26th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-fifth day of March, passed the following bills.

Senate Bill No. 436—An Act to amend an Act entitled an Act to authorize the issuance of bonds by the County of San Luis Obispo to erect county buildings, and to provide a sale for the same, approved April fourth, eighteen hundred and seventy.

Senate Bill No. 322—An Act to amend an Act entitled an Act to create and organize the University of California.

Senate Bill No. 458—An Act to provide for the introduction of good and pure water into the Town of San Luis Obispo.

Assembly Bill No. 707—An Act to amend section eight hundred and fifty-nine of the Code of Civil Procedure.

Assembly Bill No. 708—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one.

Senate Bill No. 435—An Act to amend an Act to provide for the management and sale of the lands belonging to the State.

Assembly Bill No. 647—An Act supplementary to an Act entitled an Act to regulate the settlements of the estates of deceased persons, passed May first, eighteen hundred and fifty-one.

Assembly Bill No. 658—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-first, eighteen hundred and sixty-eight.

Also, on the same day, refused to pass Senate Bill No. 282—An Act to amend an Act entitled an Act to provide for the construction and maintenance of toll roads within the State of California, approved April fourth, eighteen hundred and seventy.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 25th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-third instant, passed substitute for Assembly Bills Nos. 666 and 523—An Act concerning the assessment of animals.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 26th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, concurred in Senate Concurrent Resolution No. 50—Relative to correcting clerical errors in Senate Bill No. 454.

BORUCK, Chief Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Substitute for Assembly Bill No. 263, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 649, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 658, above reported, read first and second times and referred to the Committee on Public Lands.

Assembly Bill No. 740, above reported, read first and second times and referred to the Committee on Swamp and Overflowed Lands.

Substitute for Assembly Bills Nos. 666 and 523, above reported, was referred to the Committee on State and County Revenue.

Assembly Bill No. 707, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 708, above reported, read first and second times and referred to the Judiciary Committee.

Substitute for Senate Bill No. 189, above reported, read first and second times and referred to the Committee on Prison and Prison Buildings.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Oulton—An Act to enable the City and County of San Francisco to conform to so much of the Political Code as relates to the public revenue.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed, and ordered to be transmitted to the Assembly.

By Mr. Tuttle—An Act supplementary to an Act entitled an Act to incorporate the City of Petaluma.

Read first and second times and referred to the Judiciary Committee.

By Mr. Pendegast—An Act to put into effect certain provisions of the Political Code.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed, and ordered to be transmitted to the Assembly.

By Mr. Fowler—An Act to regulate the salary of the District Judge of the Sixteenth Judicial District.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed, and ordered to be transmitted to the Assembly.

By Mr. Larkin—An Act to amend an Act entitled an Act to regulate fees and salaries of officers and deputies in their offices, in the County of El Dorado, and other matters relating thereto.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed, and ordered to be transmitted to the Assembly.

By Mr. McKune—An Act to put into effect the provisions of the Civil Code relative to water rights.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Neff—An Act to relating to the Political Code.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

Also, an Act in relation to the fees of District Attorneys in certain counties.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

REPORT.

By Mr. Comte:

Mr. PRESIDENT: The Sacramento delegation, to whom was referred Assembly Bill No. 340—An Act to amend an Act entitled an Act concerning roads and highways in the County of Sacramento, approved April second, eighteen hundred and seventy.

Also, substitute for Assembly Bill No. 194—An Act to authorize George W. Chesley, and his associates and assigns, to lay down gas pipes in the City of Sacramento.

Respectfully report that they have had the same under consideration, and recommend their passage.

COMTE,
DUFFY,
Delegation.

RESOLUTIONS.

By Mr. Tuttle:

Resolved, That J. Wells be allowed per diem, as Gatekeeper, from the fourth of December last to the fourteenth of said month.

Referred to the Committee on Contingent Expenses.

On motion of Mr. Outhon, the resolutions, relative to order of business and evening sessions, were taken from the table.

The substitute introduced by Mr. Fawcett was adopted as follows:

Resolved, That the Secretary of the Senate be authorized and required to prepare two files: one a Special File, upon which shall be placed all bills of a special or local character, and one a General File, upon which shall be placed all bills of a general character.

Resolved, further, That the Senate will, on Tuesday, the twenty-sixth of March, hold a session from ten o'clock A. M. until five o'clock P. M., exclusive of the hour for recess, and provided for by the rules, at which

session the ordinary business of the day shall be attended to, and the bills on the General File considered; and that the Senate shall further hold an evening session on said day, commencing at seven o'clock and thirty minutes P. M., at which session the bills on the Special File shall be considered, to the exclusion of all other business except messages from the Governor and from the Assembly.

Resolved, further, That this order shall continue and be in force during each remaining day of the present session of the Senate.

By Mr. Comte:

Resolved, That the sum of seven hundred dollars be and is hereby appropriated out of the Contingent Fund of the Senate for the purchase, from W. Coggswell, of the portrait of the late Governor Bigler, which portrait is now in the office of the Sergeant at Arms of the Senate.

Referred to the Committee on Contingent Expenses.

GENERAL FILE.

Assembly Bill No. 703—An Act to vacate certain streets, alleys, and market places in the City and County of San Francisco, and to donate the same and other tide lands belonging to the State of California to said City and County of San Francisco for commercial purposes, and other matters relating thereto.

Pending the consideration of the bill the Senate, at one o'clock and ten minutes P. M., took a recess until two o'clock P. M.

REASSEMBLED.

Senate reassembled at two o'clock P. M.
President pro tem in the chair.
Roll called.
Quorum present.

GENERAL FILE RESUMED.

Senate resumed consideration of Assembly Bill No. 703—An Act to vacate certain streets, alleys, and market places in the City and County of San Francisco, and to donate the same and other tide lands belonging to the State of California to said City and County of San Francisco for commercial purposes, and other matters relating thereto.

Mr. Larkin moved to strike out the enacting clause, upon which the ayes and noes were demanded by Messrs. Larkin, Oulton, and Evans, and the Senate refused by the following vote:

AYES—Messrs. Larkin and Tompkins—2.

NOES—Messrs. Andross, Bauvard, Beck, Betge, Boggs, Boucher, Comte, Crane, De Haven, Duffy, Dyer, Evans, Farley, Finney, Fowler, Garratt, Goodale, Gwin, Hutchings, Irwin, Kent, Keys, Maclay, McCoy, McKusick, Minis, Oulton, Pendegast, Perkins, Turner, Tuttle, Van Ness, Wand, Wilson, and Wing—35.

Mr. Larkin offered the following amendment to the bill:

Amend section one by adding: "*Provided*, that nothing in this Act shall authorize the city and county authorities of San Francisco to

grant an exclusive right or privilege to any individual, corporation, or company, to the use of said lands or streets."

Mr. Irwin moved to amend the bill as follows:

"The grant herein made to the City and County of San Francisco, for the purposes specified, is on this express condition, to wit: That any lands donated under authority of this Act to any railroad company shall revert again to the State of California if at any time such railroad company shall cease to use for terminal purposes the lands granted to it."

Upon the adoption of the amendment, the ayes and noes were demanded by Messrs. Larkin, Irwin, and McMurry, and the Senate so ordered by the following vote.

AYES—Messrs. Beck, Boggs, Boucher, De Haven, Farley, Fowler, Irwin, Keys, Larkin, McKusick, McMurry, Minis, O'Connor, Perkins, Tompkins, Turner, Tuttle, Van Ness, Wand, and Wilson—20.

NOES—Messrs. Andross, Banvard, Betge, Comte, Crane, Duffy, Dyer, Evans, Finney, Garratt, Goodale, Gwin, Hutchings, Kent, Maclay, McCoy, Oulton, Pendegast, and Wing—19.

Upon the passage of the bill, the ayes and noes were demanded by Messrs. Larkin, Duffy, and McMurry, and the bill was passed by the following vote:

AYES—Messrs. Andross, Banvard, Beck, Betge, Boggs, Boucher, Comte, Crane, De Haven, Duffy, Dyer, Evans, Farley, Finney, Garratt, Goodale, Gwin, Hutchings, Irwin, Kent, Keys, Maclay, McCoy, McKusick, Minis, Oulton, Pendegast, Perkins, Turner, Van Ness, Wand, Wilson, and Wing—33.

NOES—Messrs. Fowler, Larkin, McMurry, O'Connor, Tompkins, and Tuttle—6.

NOTICE OF RECONSIDERATION.

Mr. Keys gave notice that he would to-morrow move to reconsider the vote by which the Senate this day passed Assembly Bill No. 703.

REPORT.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Joint Resolution No. 8—Requesting Congress to increase the mail facilities in the Counties of Colusa and Tehama, California.

Also, Senate Bill No. 248—An Act amendatory of an Act entitled an Act to reduce and establish salaries and pay of members of the Legislature, approved April twenty-fifth, eighteen hundred and fifty-six, approved April fourth, eighteen hundred and sixty four.

Also, Senate Bill No. 479—An Act concerning the District Tax Collector of Placer County.

Also, Senate Bill No. 480—An Act to authorize the Commissioners of the Funded Debt of the City of San Francisco to transfer certain funds and property to said city.

Also, Senate Bill No. 483—An Act to give immediate effect to certain provisions of the Political Code.

Also, Senate Bill No. 437—An Act concerning persons under sentence of imprisonment in the County Jail of Napa.

TUTTLE, for Committee.

By Mr. Tuttle:

Mr. PRESIDENT: Your Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 485—An Act to authorize the Board of Supervisors of El Dorado County to levy a special tax.

Also, Senate Bill No. 417—An Act to repeal an Act granting certain powers to the Board of Supervisors of the City and County of San Francisco.

TUTTLE, for Committee.

GENERAL FILE RESUMED.

Senate resumed consideration of the General File as follows:

Assembly Bill No. 305—An Act to provide for the funding of the indebtedness of the reclamation and levee districts of the State.

Considered in Committee of the Whole and amended.

The further consideration of the bill was postponed until half-past seven o'clock this evening.

COMMUNICATION.

The President of the Senate presented the following communication:

Hon. J. T. FARLEY, *Acting President of the Senate:*

SIR: I hereby tender to the members of the Senate of California an invitation to attend the anniversary exercises of the State Normal School, on Thursday evening, the twenty-eighth instant.

Very respectfully, your obedient servant,

W. C. LUCKY,
Principal.

At five o'clock P. M., the Senate took a recess until half-past seven o'clock this evening.

EVENING SESSION.

Senate reassembled at half-past seven o'clock P. M.

President pro tem in the chair.

Roll called.

Quorum present.

NOTICE OF RECONSIDERATION.

Mr. Evans gave notice that he would on to-morrow move to reconsider the vote by which the Senate on this day refused to pass Assembly Bill No. 622.

REPORT.

By Mr. Fowler:

Mr. PRESIDENT: Your Committee on Public Lands, to whom was

referred Assembly Bill No. 658—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twentieth, eighteen hundred and sixty-eight—having duly considered the same, beg leave to report said bill back and recommend its passage.

FOWLER, Chairman.

GENERAL FILE RESUMED.

Senate resumed consideration of Assembly Bill No. 305—An Act to provide for the funding of the indebtedness of the reclamation and levee districts of the State.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the Senate, and upon the passage of the bill, the ayes and noes were demanded by Messrs. Evans, Beige, and Minis, and the bill was passed by the following vote:

AYES—Messrs. Andross, Banvard, Beck, Beige, Boggs, Boucher, Comte, Crane, Dyer, Farley, Finney, Fowler, Garratt, Hutchings, Irwin, Kent, Keys, Mackay, McCoy, Minis, Neff, Oulton, Pendegast, Van Ness, Wand, and Wing—26.

NOES—Messrs. De Haven, Duffy, Evans, Goodale, Gwin, Larkin, McKusick, O'Connor, Perkins, Tompkins, Turner, Tuttle, and Wilson—13.

At ten o'clock P. M., on motion of Mr. Neff, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Wednesday, March 27th, 1872.

Senate met pursuant to adjournment.
President pro tem in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
The reading of the Journal of yesterday was dispensed with and considered approved.

REPORTS.

Reports were made as follows:

By Mr. Banvard:

Mr. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 461—An Act to appropriate money to assist the Aerial

Steam Navigation Company of California—having had the same under consideration, would respectfully report the same back without recommendation.

BANVARD, Chairman.

By Mr. Wilson:

Mr. PRESIDENT: Your Committee on Agriculture, to whom was referred Assembly Bill No. 659—An Act supplementary to and amendatory of an Act to protect agriculture, and to prevent the trespassing of animals upon private property, approved March twenty-sixth, eighteen hundred and sixty-six, approved March twenty-eighth, eighteen hundred and sixty-eight—have considered the same, and report the same back with an additional section, to be numbered section two in said bill, which amendment and addition was made by your committee at the request of the delegation from the county named therein. Your committee recommend the adoption of the amendment, and the passage of the bill as amended.

WILSON, Chairman.

Mr. Fowler verbally reported Assembly Bill No. 630, and recommended its passage.

The rules were suspended, and Assembly Bill No. 630, above reported, was read a third time and passed.

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 51—An Act to provide for the legal services rendered the State by J. G. Jenkins.

Also, Senate Bill No. 492—An Act to put into effect provisions of the Civil Code relative to water rights.

NEFF, for Committee.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate bill No. 159—An Act amending sections three, seven, eight, and fifteen of an Act entitled an Act to establish a Police Court in the City of Oakland, and define its jurisdiction, duties, fees of Court, and its officers, approved March tenth, eighteen hundred and sixty-six.

Also, Senate Bill No. 491—An Act to amend an Act entitled an Act to regulate fees and salaries of officers and defining their duties, in the County of El Dorado, and other matters relating thereto, approved March fifth, eighteen hundred and seventy.

TUTTLE, for Committee.

By Mr. Wand:

Mr. PRESIDENT: The San Francisco delegation have had the following bills under consideration, and report them back as follows:

Assembly Bill No. 615—An Act to open and establish a public street in the City and County of San Francisco, to be called Montgomery Avenue, and to take private lands therefor.

A majority of the delegation recommend its passage.

Also, substitute for Assembly Bill No. 572—An Act to provide for the School Department of the City and County of San Francisco, and for other purposes.

Passage recommended.

Also, substitute for Assembly Bill No. 208—An Act in aid in providing a supply of pure fresh water from Lake Tahoe for the use of the inhabitants of the City and County of San Francisco.

A majority of the delegation report it back without recommendation, and the minority report against its passage.

Also, substitute for Assembly Bill No. 198—An Act to repeal an Act entitled an Act authorizing the condemnation of private property within the limits of the Laguna survey, approved March [illegible], 1863, eighteen hundred and seventy, and to provide for the payment of the expenses incurred under said Act—a majority of the delegation recommend its passage.

WAND, for Delegation.

The rules were suspended and substitute for Assembly Bill No. 572, above reported, was read a third time and passed.

By Mr. Oulton:

Mr. President: The undersigned members of the San Francisco delegation have had under consideration Assembly substitute for Assembly Bill No. 208—An Act to aid in providing a supply of pure fresh water from Lake Tahoe, for the use of the inhabitants of the City and County of San Francisco—and report the same back and recommend that it do not pass.

The limited time in the session prevents us from giving in detail the reasons which led us to our conclusion, and we are compelled to content ourselves with a few general objections to this bill:

First—We have no assurance of the practicability of supplying San Francisco with water from the source mentioned in this bill, at a cost within the ability of the city to meet, but on the contrary we have the assurance of high engineering authority of its impracticability.

Second—The Board of Supervisors of the City and County of San Francisco—the officers of the city elected on the express purpose of managing her municipal affairs—by resolution, protested against the passage of this bill by the Legislature.

Third—We are of the opinion that but one tenth part of the population of San Francisco approve of the passage of this bill.

We have not had time to urge our objections to the provisions of the bill itself in this report, but given it cause by its consideration we will point them out to the Senate.

OULTON,
GARRATT,
Of the Delegation.

By Mr. Beck:

Mr. President: The Monterey delegation, to whom was referred Assembly Bill No. 521—An Act to regulate and fix the salary of the Assessor of Monterey County—report the same back, and recommend the following amendments, and passage of bill as amended:

In section one, line four, strike out the words "twenty-five hundred dollars," and insert "eighteen hundred dollars."

Also, Assembly Bill No. 314—An Act to regulate the fees of office of the Clerk of Santa Cruz County—and recommend that it do not pass.

Also, Assembly Bill No. 520—An Act to legalize and confirm the election of Roadmasters in the respective road districts of Monterey County—and recommend that it do not pass.

BECK, Delegation.

Mr. De Haven verbally reported Assembly Bill No. 718, and recommended its passage.

Mr. Minis verbally reported substitute for Assembly Bill No. 269, with amendments, and recommended its passage.

The rules were suspended, amendments reported adopted, bill read a third time and passed.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Education report back Assembly Bill No. 88 without recommendation.

TUTTLE, Chairman.

By Mr. Comte:

Mr. PRESIDENT: The Sacramento delegation, to whom was referred Assembly Bill No. 482—An Act to provide for the organization of an Exempt Firemen's Association in the City of Sacramento—report the same back with amendments, and recommend the adoption of the amendments, and the passage of the bill as amended.

They also report that they have had under consideration substitute for Assembly Bill No. 481—An Act to establish a Paid Fire Department in the City of Sacramento—and report back a substitute therefor and recommend the passage of the substitute.

COMTE,
DUFFY,
Delegation.

The rules were suspended, and amendments reported to Assembly Bill No. 482, above reported, were adopted, bill read a third time and passed.

The rules were further suspended, and substitute for Assembly Bill No. 481, above reported, was adopted, bill read a third time and passed.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March —, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 408—An Act for the protection of fish and game in certain portions of Napa County.

Also, Senate Bill No. 367—An Act to empower the City of Stockton to fund its school debt, and for school purposes.

Also, Senate Bill No. 374—An Act to provide for the support of the University of California.

Also, Senate Bill No. 443—An Act to authorize a special tax in Siskiyou and Klamath Counties for the construction of a wagon road from Scott Valley, in Siskyou County, to Sawyer's Bar, in Klamath County.

Also, Senate Bill No. 75—An Act providing for the appointment of a Phonographic Reporter in the County of San Joaquin in certain cases.

NEWTON BOOTH, Governor.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
March 26th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this twenty-sixth day of March, adopted Assembly Concurrent Resolution No. 32—Relative to authorizing the Sergeants at Arms to furnish the California Immigrant Union with one thousand copies of the report of the State Surveyor.

Also, on the same day, passed Senate Bill No. 274—An Act amendatory of an Act entitled an Act in relation to the county officers of Sierra County, approved March twelfth, eighteen hundred and seventy.

Also, on the same day, passed Assembly Bill No. 602—An Act to amend an Act concerning roads and highways in the County of Sacramento.

Also, on the twenty-second day of March, passed Assembly Bill No. 346—An Act to provide funds to be applied to building a House of Correction in the City and County of San Francisco, and to authorize the construction of such House of Correction.

Also, on the twenty-third day of March, passed Assembly Bill No. 249—An Act to authorize the construction of a narrow railway in Marin County.

Also, on the twenty-sixth day of March, passed Assembly Bill No. 431—Proposed amendment to the Constitution.

Also, on the same day, passed Assembly Bill No. 729—An Act to provide for the purchase of supplies for State Prison purposes.

Also, on the same day, passed Senate Bill No. 347—An Act to authorize the issuance of bonds to the amount of two hundred and fifty thousand dollars, to be known as State Capitol Bonds.

Also, on the same day, passed Senate Bill No. 260—An Act to facilitate and increase the collection of State and county and municipal licenses in the City and County of San Francisco.

BORUCK, Chief Clerk.

ASSEMBLY CHAMBER,
March 26th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twentieth day of March, passed substitute for Assembly Bill No. 251—An Act for the protection of game and fish.

Also, on the twenty-second day of March, passed substitute for

Assembly Bill No. 386—An Act to provide for the payment of outstanding Controller's warrants drawn against the Swamp Land Fund of Swamp Land District Number Seventeen, San Joaquin County.

Also, on the same day, passed substitute for Assembly Bill No. 604—An Act to repeal section three hundred of the Penal Code, approved February fourteenth, eighteen hundred and seventy-two, and to repeal an Act entitled an Act for the observance of the Sabbath, approved May twentieth, eighteen hundred and sixty-one.

Also, on the twenty-sixth day of March, passed Senate Bill No. 423—An Act to authorize the Board of Supervisors of Yolo County to approve and certify claims against Swamp Land District Number Eighteen.

Also, on the same day, passed Senate Bill No. 471—An Act amendatory of and supplementary to an Act concerning bonds in the County of Butte, approved March twelfth, eighteen hundred and seventy-two.

Also, on the same day, passed Senate Bill No. 476—An Act to authorize and empower the Board of Trustees of the Town of Suisun City to grade and improve the streets and alleys of said town.

Also, on the same day passed Senate Bill No. 383—An Act to amend an Act entitled an Act to regulate and license places of public amusements, approved April thirteenth, eighteen hundred sixty-three.

Also, on the twenty sixth day of March, passed Senate Bill No. 468—An Act supplementary to an Act entitled an Act to provide for the erection of a Court House and Jail in the County of Stanislaus, approved February first, eighteen hundred and seventy-two.

Also, on the same day, passed Senate Bill No. 275—An Act to add an additional section to the Penal Code.

Also, on the same day, passed Assembly Bill No. 724—An Act to provide for the opening, widening, and extending of streets in the City of San José.

Also, on the same day, passed Assembly Bill No. 746—An Act to provide for the better protection of certain lands in San Joaquin County from overflow.

Also, on the same day, passed Senate Bill No. 444—An Act to protect growing crops and grain in the County of Inyo.

Also, on the same day, passed Senate Bill No. 377—An Act to authorize the Trustees of the Town of Colusa to call an election of the qualified voters of said town to vote upon the continuance or dissolution of the municipal corporation of said town.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 26th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-sixth day of March, passed Senate Bill No. 492—An Act to put into effect the provisions of the Civil Code relative to water rights.

Also, on the same day, passed Senate Joint Resolution No. 8—Requesting Congress to increase the mail facilities in the Counties of Colusa and Tehama, California.

Also, on the same day, passed Assembly Bill No. 620—An Act supplementary to an Act entitled an Act concerning County Recorders, passed March twenty-sixth, eighteen hundred and fifty-one.

Also, on the same day, passed Senate Bill No. 242—An Act to create

the office and define the duties of the State Board of Forest Commissioners, and to encourage the culture of forest and timber trees.

Also, on the same day, passed Assembly Bill No. 963—An Act in relation to foreign corporations.

Also, on the same day, concurred in Senate Concurrent Resolution No. 49—Relative to distribution of Report of Commissioner in Lunacy.

BORUCK, Chief Clerk.

ASSEMBLY CHAMBER,
March 26th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this twenty-sixth day of March, passed Assembly Bill No. 751—An Act to abate the squirrel nuisance, and to encourage the destruction of other injurious animals, in Contra Costa County.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 25, above reported, read first and second times and referred to the Committee on Agriculture.

Assembly Bill No. 724, above reported, read first and second times and referred to the Committee on Agriculture.

Assembly Bill No. 749, above reported, read first and second times and referred to the Committee on Swamp and Overflowed Lands.

Assembly Bill No. 601, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 587, above reported, read first and second times and referred to the Committee on Swamp and Overflowed Lands.

Assembly Bill No. 655, above reported, read first and second times and referred to the Committee on Corporations.

Assembly Bill No. 620, above reported, read first and second times, rules suspended, bill read a third time and passed.

Senate Bill No. 242, above reported, with a substitute.

Upon the adoption of the Assembly substitute, the ayes and noes were demanded by Messrs. Beige, Duffy, and Maclay, and the Senate so ordered by the following vote:

AYES—Messrs. Andross, Beige, Comte, Duffy, Evans, Finney, Garratt, Gwin, Hutchings, Kent, Keys, Maclay, McCoy, Neff, Pendegast, Perkins, Tompkins, Van Ness, and Wand,—19.

NOES—Messrs. Banvard, Beck, Boggs, Boucher, Crane, De Haven, Farley, Fowler, Goodale, Lewis, Larkin, McKusick, McMurry, Minis, O'Connor, Oulton, Turner, and Wilson—18.

Assembly Bill No. 751, above reported, read first and second times and referred to the Contra Costa delegation.

Assembly Bill No. 692, above reported, read first and second times and referred to the Sacramento delegation.

Assembly Bill No. 346, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 249, above reported, read first and second times and referred to the Committee on Commerce and Navigation.

Assembly Bill No. 431, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 729, above reported, read first and second times and referred to the Committee on State Prison.

Assembly Concurrent Resolution No. 32, above reported, read first and second times, amended, read a third time and adopted.

Senate Bill No. 260, above reported, amendments made in the Assembly adopted by the Senate.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Tuttle—An Act to fix the terms of the County and Probate Courts of Sonoma County.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Maclay—An Act authorizing the Board of Supervisors of the County of Santa Clara to pay to the Sheriff certain moneys therein mentioned.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Pendegast—An Act to authorize the construction and maintenance of a public bridge across Napa River, at Napa City.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Comte—An Act to authorize and direct the Clerk of the Supreme Court to make and keep general indices of records filed in said Court.

Read first and second times and ordered on file.

MOTIONS AND RESOLUTIONS.

By Mr. Finney:

Resolved, That the honorable Assembly of the State of California be respectfully requested to return to the Senate immediately Assembly Bill No. 622, as notice to reconsider the vote by which the Senate refused to pass said bill had been properly given in the Senate.

Adopted.

Mr. Keys had leave to withdraw the notice of motion to reconsider the vote by which the Senate, on yesterday, passed Assembly Bill No. 703.

On motion of Mr. Tuttle, the vote by which the Senate this day passed Assembly Bill No. 572 was reconsidered.

Mr. Tuttle moved to strike out the sixteenth section of the bill.

Upon the motion to strike out the sixteenth section, the ayes and noes were demanded by Messrs. Tuttle, Larkin, and Comte, and the Senate so ordered by the following vote:

AYES—Messrs. Banvard, Beck, Betge, Boggs, Boucher, Comte, Farley, Fowler, Gwin, Hutchings, Irwin, Keys, Larkin, McCoy, McMurry, Minis, O'Connor, Pendegast, Perkins, Tuttle, Van Ness, Wand, and Wilson—23.

NOES—Messrs. Andross, Crane, De Haven, Duffy, Evans, Finney, Garratt, Goodale, Kent, McKusick, Neff, Oulton, Tompkins, Turner, and Wing—15.

By Mr. Banvard:

Resolved, That Senators Beck, Dyer, and Maclay, of the Committee on Public Buildings, and J. B. Chinn, Clerk of said committee, be and they are hereby allowed fifty three dollars and twenty cents each, mileage, in visiting the University buildings at Oakland on committee duty; and Mr. Boggs, and also J. B. Chinn, Clerk of said committee, be and they are hereby allowed twenty dollars each, mileage in visiting Marysville on committee duty, payable out of the appropriation for the per diem and mileage of members of the Legislature.

Rules suspended and resolution adopted.

SPECIAL ORDER.

Consideration of Governor's veto of Senate Bill No. 264.

Upon the question, "Shall the bill become a law notwithstanding the objection of the Governor?" the roll was called, and the Senate refused by the following vote:

AYES—Messrs. Garratt and Gwin—2.

NOES—Messrs. Banvard, Beck, Beige, Boucher, Comte, Crane, De Haven, Duffy, Dyer, Evans, Farley, Finney, Fowler, Goodale, Irwin, Kent, Larkin, Maclay, McCoy, McKusick, McMurry, Mims, Neff, O'Connor, Pendegast, Perkins, Tompkins, Turner, Tuttle, Van Ness, Wilson, and Wing—32.

GENERAL FILE.

Senate Bill No. 326—An Act to promote irrigation.

Read a third time and passed.

At one o'clock P. M. the Senate took a recess for one hour.

REASSEMBLED.

Senate reassembled at two o'clock P. M.

President pro tem in the chair.

Roll called.

Quorum present.

GENERAL FILE RESUMED.

Senate resumed consideration of the General File as follows:

Senate Bill No. 304—An Act to amend an Act entitled an Act to prevent extortion in office, and to enforce official duty.

Read a third time and passed.

Senate Bill No. 424—An Act supplemental to an Act entitled an Act to survey and dispose of certain salt marsh and tide lands belonging to the State of California, etc.

Withdrawn.

Senate Bill No. 373—An Act providing for the location of towpaths along the banks of navigable streams.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 19—An Act to cede certain lands to the City of San Diego.

Upon the adoption of the report of the Judiciary Committee, recommending that the bill do not pass, the ayes and noes were demanded by Messrs. McCoy, Larkin, and Betge, and the Senate refused by the following vote:

Ayes—Messrs. Banvard, Goodale, Larkin, O'Connor, Oulton, Perkins, Tompkins, and Tuttle—8.

Noes—Messrs. Andross, Betge, Boggs, Comte, Crane, Duffy, Farley, Fowler, Garratt, Gwin, Hutchings, Kent, Keys, Maclay, McCoy, McKusick, Neff, Pendegast, Turner, Van Ness, Wand, Wilson, and Wing—23.

Mr. Maclay moved to suspend the rules for the purpose of considering the bill engrossed and placing it upon its final passage.

Upon which the ayes and noes were demanded by Messrs. Larkin, Tuttle, and Tompkins, and the Senate so ordered by the following vote:

Ayes—Messrs. Andross, Beck, Betge, Boggs, Comte, Crane, Duffy, Evans, Farley, Fowler, Garratt, Gwin, Hutchings, Kent, Maclay, McCoy, Neff, Pendegast, Turner, Van Ness, Wand, Wilson, and Wing—23.

Noes—Messrs. Banvard, Finney, Goodale, Irwin, Larkin, O'Connor, Oulton, Perkins, Tompkins, and Tuttle—10.

The bill was read a third time and passed.

FURTHER INTRODUCTION OF BILLS.

Mr. Irwin had leave to introduce the following bills:

An Act to except certain counties from certain sections of an Act entitled an Act to put into effect certain parts of the Codes, and provide for their publication, approved March twenty second, eighteen hundred and seventy-two.

Read first and second times and laid on the table.

Also, an Act appropriating fifty-six thousand dollars in United States legal tender notes for the payment of the necessary incidental expenses of the State Capitol and Governor's Mansion.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

REPORTS.

Reports were made as follows:

By Mr. Pendegast:

Mr. President: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 373—An Act to provide for the location of towpaths along the banks of navigable streams.

PENDEGAST, for Committee.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No 495—An Act amendatory of an Act entitled an Act to amend an Act to fix the terms of the County Court and Probate Court of the County of Sonoma, approved March thirtieth, eighteen hundred and sixty-eight.

TUTTLE, for Committee.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
March 27th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly respectfully ask the return of Assembly Bill No. 228, the same having been transmitted to your honorable body by mistake.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 27th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly directs the return to your honorable body, as per your request, of Assembly Bill No. 622—An Act to authorize certain persons to improve the Pescadero and Butano Creek, and to erect booms thereon.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Substitute for Assembly Bill No. 228, above reported, was ordered to be returned to the Assembly.

RECONSIDERATION.

Pursuant to notice, Mr. Evans moved to reconsider the vote by which the Senate on yesterday accepted the report of the Judiciary Committee recommending that Assembly Bill No 622 do not pass.

On motion of Mr. Evans, the consideration of the motion to reconsider was made the special order for to-morrow, at two o'clock P. M.

REPORT.

Mr. Keys submitted a report from the Committee on State Hospitals.

The reading of the report was dispensed with and referred to the Finance Committee.

(For report, see Appendix.)

RESOLUTION.

By Mr. Oulton:

Resolved, That during the remainder of the session no Senator shall

speak upon any matter of local or special legislation more than five minutes at any one time, and no Senator shall speak more than twice on any bill at the same day of its passage, except by unanimous leave of the Senate.

Adopted.

GENERAL FILE RESUMED.

Senate resumed consideration of the General File, as follows:

Senate Bill No. 440—An Act supplementary to an Act creating the office of Insurance Commissioner.

Report of the Judiciary Committee, recommending that the bill do not pass, was adopted.

Assembly Bill No. 499—An Act authorizing Sheriffs and Constables to wear badges.

Report of the Judiciary Committee, recommending that the bill do not pass, was adopted.

Assembly Bill No. 344—An Act regulating the rights of married women.

Indefinitely postponed.

RESOLUTION.

By Mr. Irwin:

Resolved, That when the Senate meets at seven and a half o'clock P. M. to-day, it proceed to consider the Special File in the following manner: Commencing at the head of the file, bills shall be considered in the order in which they occur. The Secretary shall read the title of the bill first on file, and if no Senator objects it shall be taken up and considered; if, however, any Senator objects, it shall be passed on file, and the Secretary shall proceed to read the title of the next bill. The Senate shall proceed in this manner till it adjourns, or till it has gone through with the Special File.

Adopted.

At five o'clock and five minutes P. M., the Senate took a recess until half-past seven o'clock this evening.

EVENING SESSION.

Senate reassembled at half-past seven o'clock P. M.

President pro tem in the chair.

Roll called.

Quorum present.

REPORT.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No 19—An Act to cede certain lands to the City of San Diego.

TUTTLE, for Committee.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
March 27th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-sixth instant, passed Assembly Bill No. 187—An Act creating the office of Bank Commissioner, and other matters relating thereto.

Also, on same day, passed, with amendments, Senate Bill No. 462—An Act authorizing the Board of State Harbor Commissioners to reduce or abolish the rates of dockage, wharfage, and tolls.

Also, on this twenty seventh day of March, passed Senate Bill No. 479—An Act concerning the District Tax Collector of Placer County.

Also, on same day, passed Senate Bill No. 437—An Act concerning persons under sentence of imprisonment in the County Jail, in the County of Napa.

Also, on same day, passed Senate Bill No. 470—An Act concerning roads and highways in Contra Costa County.

Also, on same day, passed Senate Bill No. 393—An Act to authorize the Board of Supervisors of San Joaquin County to appropriate money for the use of the San Joaquin Valley Agricultural Society.

Also, on same day, passed, under a suspension of the rules, Assembly Bill No. 747—An Act to amend an Act entitled an Act to amend an Act concerning roads and highways in the County of Alameda, approved March twenty-fourth, eighteen hundred and sixty two, approved March twenty third, eighteen hundred and seventy-two.

Also, on same day, passed Assembly Bill No. 754—An Act fixing the times and places of holding the District and County Courts in and for the County of Nevada.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 27th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this twenty seventh day of March, concurred in Senate amendments to Assembly substitute for Senate Bill No. 242—An Act to create the office and define the duties of the State Board of Forest Commissioners, and to encourage the culture of forest and timber trees.

Also, on the same day, passed Assembly Bill No. 736—An Act concerning certain duplicate bonds of the funded debt of eighteen hundred and fifty-seven.

Also, on the same day, passed Assembly Bill No. 738—An Act to provide for the payment of certain road indebtedness of Tuolumne County.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 27th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this twenty seventh day of March, passed Senate Bill No. 493—An Act in relation to the Political Code.

Also, on the twenty third day of March, passed Assembly Bill No. 469—An Act to amend an Act entitled an Act to provide for the improve-

ment of public parks in the City of San Francisco, approved April fourth, eighteen hundred and seventy.

Also, on the same day, passed Assembly Bill No. 565—An Act for the better protection of the lands in Swamp Land District Number Two, in Sacramento County.

Also, on the twenty-sixth day of March, passed Assembly Bill No. 651—An Act for the education of the children in the State of California.

Also, on the twenty-fifth day of March, passed Assembly Bill No. 674—An Act to authorize the County Clerk of the City and County of San Francisco to appoint a Chief Clerk.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 27th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this twenty-seventh day of March, passed Senate Bill No. 494—An Act in relation to the fees of District Attorneys in certain counties.

Also, on the same day, passed Assembly Bill No. 641—An Act to take preliminary steps for calling a Convention to amend, remodel, or propose a new Constitution for the State of California.

Also, on the same day, passed Assembly Bill No. 676—An Act to authorize Joseph Bridger, guardian of the minor heirs of Robert S. Carlisle, deceased, to sell certain real estate in the County of Santa Clara, State of California.

Also, on the same day, passed Senate Bill No. 487—An Act to enable the City and County of San Francisco to conform to so much of the Political Code as relates to the public revenue.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 27th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this twenty seventh day of March, passed Assembly Bill No. 417—An Act to repeal an Act granting certain powers to the Board of Supervisors of the City and County of San Francisco.

Also, passed substitute for Assembly Bill No. 228—An Act to provide for the payment of damages caused by changing the grade of Second street, in the City and County of San Francisco.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 27th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this twenty-seventh day of March, passed, with amendments, Senate Bill No. 406—An Act to extend an Act entitled an Act concerning District Court Reporters, approved March thirteenth, eighteen hundred and sixty six, to the Nineteenth and Twentieth Judicial Districts of the State of California.

Also, passed Senate Bill No. 496—An Act authorizing the Board of

Supervisors of the County of Santa Clara to pay to the Sheriff of said county certain moneys therein mentioned.

Also, passed Senate Bill No. 500—An Act appropriating fifty six thousand dollars in United States legal tender notes for the payment of the necessary incidental expenses of the State Capitol and Governor's Mansion.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 676, above reported, read first and second times and referred to Santa Clara delegation.

Assembly Bill No. 747, above reported, read first and second times and referred to the Alameda delegation.

Assembly Bill No. 754, above reported, read first and second times and referred to the Nevada delegation.

Assembly Bills Nos. 187 and 641, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bills Nos. 469 and 674, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 565, above reported, read first and second times and ordered on the General File.

Assembly Bill No. 651, above reported, read first and second times and referred to the Committee on Education.

Assembly Bill No. 736, above reported, read first and second times and referred to the Finance Committee.

Assembly Bill No. 738, above reported, read first and second times and referred to the Tuolumne delegation.

Senate Bill No. 487, above reported, laid on the table.

Senate Bill No. 462, above reported, amendments reported from the Assembly concurred in by the Senate.

Senate Bill No. 493, above reported, Senate refuse to concur in the amendment relative to the County of Contra Costa, and concurred in all the other amendments.

Senate Bill No. 406, above reported, amendments made by the Assembly concurred in by the Senate.

SPECIAL FILE.

Assembly Bill No. 555—An Act to fix salaries of officers in San Joaquin County.

Read a third time and passed.

Senate Bill No. 438—An Act to ratify and confirm the sale of a franchise granted under and by an Act entitled an Act to authorize D. D. Northrop, Horace Cole, and E. B. Goddard, and their associates, to construct a plank road or bridge over the waters of Mission Bay, etc.

Withdrawn.

Senate Bill No. 429—An Act to amend an Act entitled an Act to grant Guillermo Carrillo and his assigns the right to supply the inhabitants of the Town of Santa Barbara with fresh water.

Rules suspended, bill considered engrossed, read a third time and passed, and ordered to the Assembly without engrossment.

Senate Bill No. 442—An Act to authorize suit against the Board of Supervisors of Sacramento.

Amendments adopted, rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No 445—An Act to protect fish in the waters of Sierra and Plumas Counties.

Amendments adopted, rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 446—An Act to authorize Charles Lyndall to sell and convey real estate.

Passed on file.

Senate Bill No. 413—An Act to provide for an official survey of the swamp and overflowed, tide and salt marsh lands in Sonoma County.

Rules suspended, bill considered engrossed, read a third time and passed

Assembly Bill No. 578—An Act to amend an Act entitled an Act concerning roads and highways in the Counties of Klamath and Del Norte.

Read a third time and passed.

Senate Bill No. 449—An Act concerning the office of Sheriff of Humboldt County.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 288—An Act repealing Article IV of an Act entitled an Act to repeal the several charters of the City of San Francisco, and to consolidate the government thereof, etc.

Mr. Oulton offered a substitute for the bill, which was adopted.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 424—An Act to prevent animals from running at large in certain portions of Contra Costa County.

Read a third time and passed.

[Mr. O'Connor in the chair.]

Senate Bill No. 295—An Act to authorize the Board of Supervisors of the City and County of San Francisco to aid in the erection and construction of waterworks for the supply and distribution of fresh water to the inhabitants of said city.

Passed on file.

Assembly Bill No. 181—An Act amendatory of and supplementary to an Act entitled an Act to authorize R. G. Arthur and his associates to construct and keep in repair certain roads upon the San Miguel Rancho, in the City and County of San Francisco.

Read a third time and passed.

Assembly Bill No. 385—An Act to authorize the Board of State Harbor Commissioners to set apart a portion of the water front of the City and County of San Francisco for certain purposes.

Read a third time and passed.

Mr. Farley gave notice that he would on to morrow move to reconsider the vote by which the Senate passed substitute for Senate Bill No. 288.

Assembly Bill No. 637—An Act supplemental to an Act entitled an Act to incorporate the City of Sacramento.

Read a third time and passed.

Assembly Bill No. 453—An Act granting certain privileges to the North Beach and Mission Railroad Company.

Read a third time and passed.

Assembly Bill No. 617—An Act extending time to the City Railroad Company.

Laid on the table.

Assembly Bill No. 611—An Act to prevent hunting and shooting on private grounds in the City and County of San Francisco.

Read a third time and passed.

Assembly Bill No. 635—An Act relating to the salary and duties of the Assessor of Tehama County.

Read a third time and passed.

Assembly Bill No. 350—An Act supplementary to the Act of April twenty-fifth, eighteen hundred and sixty three, entitled an Act to incorporate the City of Sacramento.

Read a third time and passed.

Assembly Bill No. 580—An Act to authorize the Board of Supervisors of Plumas County to complete the Red Clover Valley Wagon Road.

Read a third time and passed.

Assembly Bill No. 488—An Act for the relief of D. Boteller.

Indefinitely postponed.

Assembly Bill No. 71—An Act for the relief of P. A. Dorris.

Indefinitely postponed.

[President pro tem in the chair.]

Assembly Bill No. 594—An Act to fix the salary of the District Attorney of Plumas County.

Read a third time and passed.

Assembly Bill No. 529—An Act amendatory of an Act entitled an Act to organize and regulate the Justices' Court of the City and County of San Francisco.

Amendments adopted, bill read a third time and passed.

Assembly Bill No. 41—An Act to legalize and confirm certain ordinances passed and contracts made by the Board of Supervisors of the City and County of San Francisco relative to the removal of dead animals from the city limits.

Passed on file.

Assembly Bill No. 498—An Act to provide for interpreters for certain Courts in the City and County of San Francisco.

Passed on file.

Assembly Bill No. 599—An Act to authorize certain persons to improve a portion of Kern River.

Passed on file.

Assembly Bill No. 634—An Act to authorize John Ram or S. C. Long to remove certain remains of deceased persons.

Read a third time and passed.

Assembly Bill No. 581—An Act to authorize the maintenance of a boom on Elk River and to remove obstructions on said stream.

Passed on file.

Assembly Bill No. 134—An Act to provide for the construction of a wagon road from and to the Yosemite Valley and Big Tree Grove, in Mariposa County.

Ordered to be placed on the General File.

Assembly Bill No. 599—An Act to authorize certain persons to improve a portion of Kern River.

Read a third time and passed.

Senate Bill No. 448—An Act for the relief of John J. Conlin.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 472—An Act in relation to certain officers in Tehama County.

Read a third time and passed.

At ten o'clock and five minutes P. M. Mr. Fowler moved to adjourn.

Lost.

Assembly Bill No. 411—An Act the better to define the boundaries between the Counties of Humboldt, Mendocino, Trinity, and Klamath.

Read a third time and passed.

Assembly Bill No. 477—An Act to amend an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to open and grade Market street, in said city and county.

Read a third time and passed.

Senate Bill No. 192—An Act to legalize, confirm, and make valid certain contracts for street work in the City and County of San Francisco.

Passed on file.

Assembly Bill No. 598—An Act authorizing the Board of Supervisors of the City and County of San Francisco to provide suitable rooms, attendants, fuel, lights, and stationery for the Third and Nineteenth District Courts, in and for the City and County of San Francisco and the County of Alameda.

Read a third time and passed.

On motion of Mr. Irwin, the vote by which Assembly Bill No. 71—An Act for the relief of P. A. Dorris—was indefinitely postponed, was reconsidered, and the bill was ordered on file.

On motion of Mr. Mims, the rules were suspended for the consideration of Assembly Bill No. 581—An Act to authorize the maintenance of a boom on Elk River, and to remove obstructions on said stream.

Read a third time and passed.

Assembly Bill No. 552—An Act relative to sailor boarding houses and shipping offices in the City and County of San Francisco.

Amendment adopted, bill read a third time and passed.

Assembly Bill No. 224—An Act for the relief of A. F. Gray, Treasurer and ex officio Tax Collector of El Dorado County.

Passed on file.

Senate Bill No. 191—An Act to provide for funding the indebtedness of Levee District Number Five, in Sutter County.

Passed on file.

At ten o'clock and twenty-five minutes P. M. Mr. McKusick moved to adjourn.

Lost.

Assembly Bill No. 636—An Act supplementary to an Act entitled an Act to provide for the protection of certain lands in Sutter County from overflow.

Read a third time and passed.

Assembly Bill No. 627—An Act to authorize the Trustees of Red Bluff School District to borrow money.

Read a third time and passed.

Assembly Bill No. 364—An Act to fix the salary of the Superintendent of Common Schools in Plumas.

Report of the committee, recommending that the bill do not pass, was adopted.

Senate Bill No. 431—An Act to provide for the collection of a poll hospital tax in Colusa County.

Rules suspended, bill considered engrossed, read a third time and passed, and title amended.

Senate Bill No. 269—An Act to provide for the construction and maintenance of public roads in the County of Colusa.

Amendment adopted, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 650—An Act to fix the terms of the County Court of Monterey County.

Read a third time and passed.

[Mr. Pendegast in the chair.]

Assembly Bill No. 643—An Act to authorize Isaac Bluxome to remove certain bodies.

Read a third time and passed.

Assembly Bill No. 546—An Act to amend an Act restricting the herding of sheep to certain pastures in the Counties of Sonoma and Marin.

Passed on file.

Senate Bill No. 466—An Act concerning the office of District Attorney of Sacramento County.

Passed on file.

Assembly Bill No. 691—An Act defining a lawful and partition fence in Butte County.

Read a third time and passed.

Assembly Bill No. 383—An Act to provide and pay for services rendered the City and County of San Francisco.

Amendments adopted, bill read a third time and passed.

At ten o'clock and fifty minutes P. M. Mr. Neff moved to adjourn.

Lost.

Assembly Bill No 582—An Act to authorize the Board of Supervisors of Trinity County to levy a special tax.

Read a third time and passed.

Assembly Bill No. 587—An Act to change the manner of electing Supervisors in the County of Del Norte, and prescribe the method thereof.

Amendment adopted, bill read a third time and passed.

Assembly Bill No. 105—An Act to regulate the wharfage and dockage and abolish tolls in the Harbor of San Francisco.

Passed on file.

Senate Bill No. 330—An Act for the relief of John S. Milner.

Indefinitely postponed.

Assembly Bill No. 616—An Act validating certain contracts in relation to the excavation of Putah Creek canals, etc.

Read a third time and passed.

Assembly Bill No. 704—An Act relating to Swamp Land District Number Ten.

Read a third time and passed.

Assembly Bill No. 568—An Act to provide for a street railroad in the Town and County of Napa.

Read a third time and passed.

[President pro tem in the chair.]

Assembly Bill No. 391—An Act to regulate and define fees in the Sheriff's office in the County of Mendocino.

Read a third time and passed.

Assembly Bill No. 655—An Act to authorize the Board of Supervisors of the City and County of San Francisco to appropriate money for the improvement of Washington Plaza, in said city and county.

Read a third time and passed.

At eleven o'clock and five minutes P. M. Mr. Finney moved to adjourn.
Lost.

Senate Bill No. 477—An Act to supply the City and County of San Francisco with water.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 472—An Act to provide for paving the streets in the City and County of San Francisco.

Amendment adopted, rules suspended, bill considered engrossed, read a third time and passed,

Assembly Bill No. 543—An Act fixing the salary of certain county officers of Alameda County.

Amendment adopted, bill read a third time and passed.

At eleven o'clock and twelve minutes P. M. Mr. Pendegast moved to adjourn.

Lost.

Assembly Bill No. 518—An Act concerning roads and highways in the County of Fresno, and to repeal a certain Act in relation thereto.

Read a third time and passed.

Senate Bill No. 481—An Act to provide for the incorporation of tramroad companies in the County of Shasta.

Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 673—An Act to authorize the conveyance of a certain lot of land in the City and County of San Francisco to the Ladies' Protection and Relief Society.

Amendment adopted, bill read a third time and passed.

At eleven o'clock and twenty minutes P. M., on motion of Mr. Minis, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Thursday, March 28th, 1872.

Senate met pursuant to adjournment.

President pro tem in the chair.

Roll called

Quorum present.

Prayer by the Chaplain.

The reading of the Journal of yesterday was dispensed with and considered approved.

REPORTS.

Reports were made as follows:

Mr. Larkin verbally reported substitute for Assembly Bills Nos. 166 and 253, and recommended its passage.

The rules were suspended, bill read a third time and passed.

Mr. Larkin also verbally reported Assembly Bill No. 526, and recommended its passage.

The rules were suspended, bill read a third time and passed.

Mr. Mans verbally reported Assembly Bill No. 652, and recommended its passage.

The bill was ordered to the Special File.

Mr. Maclay verbally reported Assembly Bill No. 693, and recommended its passage.

By Mr. Hutchings:

Mr. President: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 357—An Act to amend an Act entitled an Act concerning roads in the Counties of Santa Barbara and San Luis Obispo, approved February twenty-first, eighteen hundred and seventy two.

Also, Senate Bill No 372—An Act for the relief of certain parties holding property on Market street, in the City and County of San Francisco.

Also, Senate Bill No. 450—An Act to amend an Act entitled an Act concerning estrays and animals found running at large in the County of Santa Clara, passed April twenty-seventh, eighteen hundred and sixty-three.

Also, Senate Bill No. 59—An Act to legalize the assessment of taxes for the years A. D. eighteen hundred and sixty nine, eighteen hundred and seventy, and eighteen hundred and seventy one, in the County of Sierra.

Also, Senate Bill No. 439—An Act to empower the Trustees of Mountain View Cemetery Association to mortgage a portion of the lands belonging to such association.

Also, Senate Bill No. 395—An Act concerning the office of Treasurer of Sierra County.

Also, Senate Bill No. 335—An Act concerning the fees and salaries of certain officers in the County of Sonoma.

Also, Senate Bill No. 396—An Act to repeal an Act concerning roads and highways in the County of Sierra, approved March twenty-fifth, eighteen hundred and seventy.

Also, Senate Bill No. 456—An Act to amend an Act entitled an Act to authorize the issuance of bonds by the County of San Luis Obispo to erect county buildings, and to provide a site for the same, approved April fourth, eighteen hundred and seventy.

Also, Senate Bill No. 328—An Act to provide for the establishment of a public highway and ferry on the San Joaquin River, in the County of Stanislaus.

Also, Senate Bill No. 492—An Act to put into effect the provisions of the Civil Code relative to water rights.

And have presented the same to the Governor for his signature this day, at one o'clock P. M.

HUTCHINGS.

Mr. President: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 342—An Act appropriating fifty six thousand dollars, in United States legal tender notes, for the payment of the necessary incidental expenses of the State Capitol and Governor's Mansion—and have presented the same to the Governor for his signature this day, at one o'clock P. M.

HUTCHINGS.

Mr. PRESIDENT: Your Committee on Enrollment have examined and find correctly enrolled Senate Bill No. 454—An Act to reincorporate the City of Stockton—and have presented the same to the Governor this day, at one o'clock and fifteen minutes P. M.

HUTCHINGS.

Mr. PRESIDENT: Your Committee on Enrollment have examined and find correctly enrolled Senate Bill No. 250—An Act to reincorporate the Town of Santa Rosa—and have presented the same to the Governor this day, at one o'clock P. M.

HUTCHINGS.

Mr. Minis verbally reported Assembly Bill No. 746, and substitute for Assembly Bill No. 386, and recommended their passage.

The bills above reported were ordered on the Special File.

By Mr. McMurry:

Mr. PRESIDENT: The Committee on Contingent Expenses have examined and find correct the following accounts, and herewith report the same, and recommend the adoption of the accompanying resolution:

To whom due.	Amount.
E. S. Dennison, *San Francisco Chronicle*	$68 00
C. E. Spencer, *Sacramento Record*	60 75
Kies & Caystile, *Mountain Democrat*	27 00
A. S. Hopkins, papers and magazines	32 00
James H. Lawrence, *Mar. Gazette*	78 00
New Age Publishing Company	3 00
Brown & Deal, *Nevada Transcript*	12 00
G. I. Lytle, *Bulletin, Appeal, and Call*	75 00
Jerome A. Barney, *Marine County Journal*	2 50
San Francisco Abend Post	5 00
Robert J. Steele, *Argus*	6 00
W. P. Tilden, *Northern Enterprise*	9 00
Calaveras Citizen	9 00
Wm. Irvin, *Yreka Union*	51 00
Samuel Morris, *Alta California*	45 00
Max Cohnheim, *San Jose Chronicle*	3 00
E. J. Martin, *Sacramento Reporter*	47 50
M. Buckhart & N. Newman, *Humorist*	5 00
Daily Bee	2 00

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Senate in favor of the following named persons for the amount set opposite their respective names:

In favor of G. S. Dennison, for sixty-eight dollars.

In favor of C. E. Spencer, for sixty dollars and seventy-five cents.

In favor of Kies & Caystile, for twenty-seven dollars.

In favor of A. S. Hopkins, for thirty-two dollars.

In favor of James Lawrence, for seventy-eight dollars.
In favor of New Age Publishing Company, for three dollars.
In favor of Brown & Deal, for twelve dollars.
In favor of G. I. Lytle, for seventy five dollars.
In favor of Jerome A. Barney, for two dollars and fifty cents.
In favor of *San Francisco Post*, for five dollars.
In favor of Robert J. Steele, for six dollars.
In favor of W. P. Tilden, for nine dollars.
In favor of *Calaveras Citizen*, for nine dollars.
In favor of William Irvin, for fifty-one dollars.
In favor of Samuel Morris, for forty-five dollars.
In favor of Max Cohnheim, for three dollars.
In favor of E. J. Martin, for forty seven dollars and fifty cents.
In favor of M. Burkhart & N. Newman, for five dollars.
In favor of *Daily Bee*, for two dollars.

McMURRY, Chairman.

Adopted.

Mr. Minis verbally reported Assembly Bill No. 740 and recommended its passage.

The bill was ordered at the head of the Special File for this evening.

By Mr. Neff:

Mr. President: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 472—An Act to provide for paving the streets in the City and County of San Francisco, and for the repair thereof.

Also, Senate Bill No. 448—An Act for the relief of John J. Conlin.

Also, Senate Bill No. 477—An Act to supply the City and County of San Francisco with water.

Also, Senate Bill No. 413—An Act to provide for an official survey of the swamp and overflowed, tide and salt marsh lands in Sonoma.

NEFF, for Committee.

By Mr. Tuttle:

Mr. President: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 442—An Act to authorize suit against the Board of Supervisors of the County of Sacramento.

Also, Senate Bill No. 445—An Act to protect fish in the waters of Sierra and Plumas Counties.

TUTTLE, for Committee.

Mr. Minis verbally reported Assembly Bill No. 699, and recommended its passage.

Mr. De Haven verbally reported substitute for Assembly Bill No. 587, and recommended that the same do not pass.

By Mr. Wand:

Mr. President: The San Francisco delegation have had the following bills under consideration, and report them back as follows:

Assembly Bill No. 346—An Act to provide funds to be applied to

building a House of Correction in the City and County of San Francisco, and to authorize the construction of such House of Correction—passage recommended.

Also, Assembly Bill No. 674—An Act to authorize the County Clerk of the City and County of San Francisco to appoint a Chief Deputy—passage recommended.

Also, Assembly Bill No. 469—An Act to amend an Act entitled an Act to provide for the improvement of public parks in the City and County of San Francisco—passage recommended.

WAND, for Delegation.

By Mr. Keys:

Mr. PRESIDENT: The Stanislaus delegation, to whom was referred Assembly Bill No. 553—An Act for the encouragement of irrigation—report the same back and recommend that the same do not pass.

KEYS, for Delegation.

By Mr. Duffy:

Mr. PRESIDENT: The Sacramento delegation, to whom was referred Assembly Bill No. 143—An Act to amend an Act providing for the appointment of additional Notaries Public in Sacramento County—respectfully report that they have had the same under consideration, and report the same back with an amendment, and recommend the adoption of the amendment, but upon the merits of the bill express no opinion.

COMTE,
DUFFY,
Delegation.

By Mr. Maclay:

Mr. PRESIDENT: The Santa Clara delegation, to whom was referred Assembly Bill No. 724—An Act to provide for the opening, widening, and extending of streets in the City of San José—have had the same under consideration, and report the same back and recommend its passage.

Also, have had under consideration Assembly Bill No. 676—An Act to authorize Joseph Bridger, guardian of the minor heirs of Robert S. Carlisle, deceased, to sell certain real estate in the County of Santa Clara, State of California—and report the same back and recommend its passage.

MACLAY, for Delegation.

Mr. Goodale verbally reported Assembly Bill No. 751, without recommendation.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Education report back Assembly Bill No. 671, and recommend that it do not pass, on the ground that it confers dangerous powers on bodies having no legal existence.

TUTTLE, Chairman.

Mr. Tompkins verbally reported Assembly Bill No. —, and recommended its passage.

The rules were suspended, bill read a third time and passed.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 492—An Act to put into effect the provisions of the Civil Code relative to water rights.

Also, Senate Bill No. 381—An Act to enable the heirs or next of kin of Thomas Spriggs, deceased, to inherit his estate.

Also, Senate Bill No. 454—An Act to reincorporate the City of Stockton.

Also, Senate Bill No. 328—An Act to provide for the establishment of a public highway and ferry on the San Joaquin River, in the County of Stanislaus.

Also, Senate Bill No. 396—An Act to repeal an Act concerning roads and highways in the County of Sierra, approved March twenty-fifth, eighteen hundred and seventy.

Also, Senate Bill No. 335—An Act concerning the fees and salaries of certain officers in the County of Sonoma.

Also, Senate Bill No. 395—An Act concerning the office of Treasurer of Sierra County.

Also, Senate Bill No. 439—An Act to empower the Trustees of Mountain Cemetery Association to mortgage a portion of the lands belonging to such Association.

Also, Senate Bill No. 450—An Act to amend an Act entitled an Act concerning estrays and animals found running at large in the County of Santa Clara, passed April twenty-seventh, eighteen hundred and sixty-three.

Also, Senate Bill No. 372—An Act for the relief of certain parties holding property on Market street, in the City and County of San Francisco.

Also, Senate Bill No. 436—An Act to amend an Act entitled an Act to authorize the issuance of bonds by the County of San Luis Obispo to erect county buildings and to provide a site for the same, approved April fourth, eighteen hundred and seventy.

NEWTON BOOTH, Governor.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
March 28th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the

Assembly, on this twenty-eighth day of March, eighteen hundred and seventy-two, passed Senate Bill No. 389—An Act to amend an Act entitled an Act to authorize the Board of Supervisors of Santa Barbara County to build a Court House and Jail in said county, to issue bonds of said county for the construction thereof, and to provide payment for the same, approved February second, eighteen hundred and seventy two.

Also, on the same day, passed substitute for Senate Bill No. 157—An Act to regulate the erection of public buildings and structures.

Also, on the same day, passed Senate Bill No. 490—An Act to regulate the salary of the District Judge of the Sixteenth Judicial District.

Also, on the same day, passed Senate Bill No. 486—An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-two.

Also, on the same day, amended and passed Senate Bill No. 469—An Act in relation to the Superintendent of the State Insane Asylum.

Also, on the same day, passed Assembly Bill No. 762—An Act to provide for the protection from overflow by Putah Creek of certain lands in the Counties of Yolo and Solano.

Also, on the twenty seventh instant, passed Senate Bill No. 300—An Act to legalize certain proceedings of the Board of Supervisors of Yolo County.

Also, on the same day, passed Senate Bill No. 497—An Act to authorize the construction and maintenance of a public bridge across Napa River, at Napa City.

Also, on this twenty-eighth instant, passed Assembly Bill No. 757—An Act to locate the county seat of Merced County.

Also, on the twenty sixth instant, passed substitute to Assembly Bill No. 540—An Act authorizing certain parties to take the surplus waters out of the Stanislaus River, at Six mile Bar, in the County of Calaveras, for agricultural, irrigating, and manufacturing purposes.

Also, on the same day, passed Assembly Bill No. 711—An Act concerning the indigent sick.

Also, on the twenty-seventh instant, passed, with amendments, Senate Bill No. 200—An Act concerning trespasses on lands in the Counties of Santa Barbara and San Luis Obispo.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 28th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-seventh day of March, passed Assembly Bill No. 761—An Act in relation to the salary of the Treasurer and Auditor of the County of Butte.

Also, on the same day, passed Senate Bill No. 410—An Act to provide for Public Administrators in certain cases.

Also, on the twenty seventh day of March, refused to pass Senate Bill No. 178—An Act to separate the office of County Recorder from that of County Clerk in the County of Yolo, and to provide for the election of a County Recorder.

Also, on the twenty-seventh day of March, passed Senate Bill No. 259—An Act to confer additional powers upon the Board of Supervisors and the Auditor and Treasurer of San Francisco, etc.

Also, on the same day, passed Assembly Bill No. 722—An Act for the relief of J. Johnson.

Also, on the same day, passed Assembly Bill No. 644—An Act to provide for the support of men belonging to the Paid Fire Department of the City and County of San Francisco who may be disabled while in the performance of their duties.

Also, on the same day, passed Assembly Bill No. 706—An Act to amend an Act entitled an Act to repeal an Act to declare and regulate the power of the Board of Supervisors of the City and County of San Francisco to take private lands for certain public improvements, and to prescribe the manner of its execution, approved April fourth, eighteen hundred and sixty-four, approved March thirtieth, eighteen hundred and sixty-eight.

Also, on the same day, passed Assembly Bill No. 667—An Act supplementary to an Act entitled an Act supplementary to an Act entitled an Act to establish the Industrial School Department of the City and County of San Francisco, approved April fifteenth, eighteen hundred and fifty-eight, approved February fifteenth, eighteen hundred and sixty-four.

Also, on the same day, passed Assembly Bill No. 694—An Act to provide for the repairs and improvement of roads and highways in the City and County of San Francisco.

Also, on the same day, passed Assembly Bill No. 715—An Act amending an Act concerning the Harbormaster of the City and County of San Francisco, approved March twenty-sixth, eighteen hundred and fifty-seven.

Also, on the same day, passed Assembly Bill No. 730—An Act for the support of certain cemeteries in Tehama County.

Also, on the same day, passed Assembly Bill No. 731—An Act to authorize the Board of Supervisors of the County of Yolo to levy, and the Collector to collect, a special tax for Plainfield School District.

Also, on the same day, passed Assembly Bill No. 734—An Act to amend an Act entitled an Act to incorporate the Town of Redwood City, approved March twenty-seventh, eighteen hundred and sixty-eight.

Also, on the same day, passed Assembly Bill No. 735—An Act amendatory of an Act entitled an Act amendatory of and supplemental to an Act entitled an Act to incorporate the Town of Redwood City, approved March twenty-seventh, eighteen hundred and sixty-eight, approved March twenty-fourth, eighteen hundred and seventy.

DIXON, Assistant Clerk.

[Mr. Evans in the chair.]

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 761, above reported, read first and second times, rules suspended, bill read a third time and passed.

Assembly Bill No. 762, above reported, read first and second times and referred to the Yolo and Solano delegation.

Assembly Bill No. 757, above reported, read first and second times and referred to the Merced delegation.

Substitute for Assembly Bill No. 549, above reported, read first and second times and referred to the Committee on Corporations.

Assembly Bill No. 611, above reported, read first and second times and referred to the Butte delegation.

Assembly Bill No. 722, above reported, read first and second times and referred to the Committee on Claims.

Assembly Bills Nos. 644, 706, 667, 694, and 715, above reported, were severally read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 730, above reported, read first and second times and referred to the Tehama delegation.

Assembly Bill No. 731, above reported, read first and second times, rules suspended, bill read a third time and passed.

Assembly Bills Nos. 734 and 735, above reported, were severally read first and second times and referred to the San Mateo delegation.

Assembly amendments to Senate Bills Nos. 469 and 200, above reported, were concurred in by the Senate.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Perkins—An Act for the protection of the School Fund of the State.

Read first and second times and referred to the Judiciary Committee.

By Mr. Banvard—An Act making appropriations for deficiencies in the appropriation made for the twenty-second and twenty-third fiscal years.

Read first and second times and made the special order for to morrow, at twelve o'clock M.

Also, an Act to apropriate funds for the relief of the several orphan asylums of the State.

Read first and second times and made the special order for to-morrow, at twelve o'clock M.

By Mr. O'Connor—An Act to amend an Act entitled an Act to regulate the salaries and fix the compensation of certain county officers in the County of Nevada, approved March sixth, eighteen hundred and seventy.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Finney—An Act to authorize the Board of Supervisors of San Mateo County to settle certain claims against said county.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. McMurry—An Act to appropriate money for contingent expenses of the Senate at the nineteenth session of the Legislature.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Minis—An Act to more clearly define the boundary line between the Counties of Lake and Yolo, in the State of California.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Maclay—An Act authorizing the Board of Supervisors of the County of Santa Clara to pay to the County Clerk and Auditor of said county certain moneys therein mentioned.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Wand—An Act to authorize the Assessor of the City and County of San Francisco to appoint deputies.

Read first and second times and referred to the San Francisco delegation.

By Mr. Beck—An Act to extend the provisions of the Act entitled an Act to protect agriculture, and to prevent the trespassing of animals upon private property, approved March twenty seventh, eighteen hundred and seventy-two, to a part of the County of Monterey.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Comte—An Act to amend certain parts of the Political Code, approved March twelfth, eighteen hundred and seventy-two.

Read first and second times, and ordered at the head of the General File for to-morrow.

RESOLUTIONS AND MOTIONS.

By Mr. Irwin:

Resolved, That the Enrolling Clerk be and he is hereby authorized and required to insert an enacting clause in Senate Bill No. 500.

Adopted.

Senate Bill No. 487, heretofore reported, with amendments, from the Assembly, concurred in by the Senate.

Assembly Bill No. 617 was ordered second on the Special File for this evening.

The vote by which the Senate passed Assembly Bill No. 691 was reconsidered.

The bill was amended, read a third time and passed.

Senate Bill No. 499 was recommitted to the Senator from Siskiyou (Mr. Irwin).

On motion of Mr. Banvard, the vote by which the Senate adopted a resolution for the payment of mileage to the Committee on Public Buildings was reconsidered.

The resolution was amended and adopted.

By Mr. Comte:

Resolved by the Senate, That the Assembly be and is hereby respectfully requested to return to the Senate Senate Bill No. 489, for the purpose of correcting a clerical error therein.

Adopted.

By Mr. Banvard:

Resolved, That J. B. Chinn be and he is hereby allowed sixty dollars, as mileage, as Clerk of the Committee on Public Buildings, in visiting San José to investigate the manner in which the work of construction on the State Normal School building was conducted, payable out of the appropriation for the contingent expenses of the Senate.

Rules suspended and resolution adopted.

On motion of Mr. Larkin, the rule adopted on yesterday relative to the consideration of the Special File was made applicable to the General File for this day.

On motion of Mr. Banvard, Assembly Bill No. 524—An Act making appropriation for translating into Spanish the several State documents

and reports ordered during the present session of the Legislature—was taken from the file, read a third time and passed.

By Mr. Banvard:

Resolved, That each Senator be and is hereby allowed one additional newspaper for the session.

Referred to the Committee on Contingent Expenses.

At one o'clock P. M. the Senate took a recess until two o'clock P. M.

REASSEMBLED.

The Senate reassembled at two o'clock P. M.

President pro tem in the chair.

Roll called.

Quorum present.

[Mr. O'Connor in the chair.]

RECONSIDERATION.

Pursuant to notice, Mr. Farley moved to reconsider the vote by which the Senate on yesterday passed Senate Bill No. 288.

So ordered.

The bill was considered in Committee of the Whole and amended.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the Senate, rules suspended, bill considered engrossed, read a third time and passed.

REPORT.

Mr. Irwin verbally reported a substitute for Senate Bill No. 499, and recommended its passage.

The rules were suspended, substitute adopted, bill considered engrossed, read a third time and passed.

SPECIAL ORDER.

Motion to reconsider Assembly Bill No. 622—An Act to authorize certain persons to improve the Pescadero and Butano Creek, etc.

Upon the motion to reconsider, the ayes and noes were demanded by Messrs. Larkin, Finney, and Tuttle, and the Senate so ordered by the following vote:

AYES—Messrs. Banvard, Betge, Boggs, Comte, De Haven, Duffy, Dyer, Evans, Finney, Fowler, Garratt, Gwin, Keys, Maclay, Minis, Neff, O'Connor, Perkins, and Wilson—19.

NOES—Messrs. Andross, Crane, Farley, Goodale, Irwin, Larkin, McMurry, Oulton, Pendegast, Tompkins, Tuttle, Van Ness, Wand, and Wing—14.

Upon the passage of the bill, the ayes and noes were demanded by Messrs. Finney, Duffy, and Boggs, and the Senate refused by the following vote:

AYES—Messrs. Barnard, Briggs, Cronin, De Haven, Dyer, Evans, Finney, Fowler, Gaynor, Gwin, Neff, and Wilson—13.

NOES—Messrs. Andrews, Belcher, Crane, Farley, Kaye, Laville, Morley, McCoy, O'Connor, Ogden, Perkins, Tompkins, Turner, Tuttle, Van Voast, Ward, and Wigg—17.

REPORT OF AYES.

The President of the Senate presented the following communication:

OFFICE OF THE CONTROLLER OF STATE,
SACRAMENTO, March 20th, 1872.

Hon. Jas. T. Farley, President of the Senate:

SIR—You will please call the attention of the Senate to an Act prescribing rules for the government of the State Library, which prohibits the Librarian from keeping his warrant in favor of any member until his successor is settled with the State Librarian.—Statutes of 1850, page 219, and sixty-one pages for book, section eleven.

I have the honor to be most respectfully yours,

JAMES F. LOREE, State Controller.

On motion of Mr. Evans the Senate went into executive session for the consideration of Governor's message relative to appointment of Fort Wardens.

Upon the question, "Will the Senate advise and consent to the appointment of Isaac Noland as Fort Warden?" the roll was called with the following result:

AYES—Messrs. Andrews, Barnard, Belcher, Briggs, Caldwell, Crane, Cronin, De Haven, Dyer, Evans, Finney, Fowler, Gaynor, Gwin, Kaye, Laville, Morley, McCoy, McGlynn, Neff, O'Connor, Ogden, Perkins, Tompkins, Turner, Tuttle, Van Voast, Ward, Wilson, and Wigg—29.

NOES—None.

Upon the question, "Will the Senate advise and consent to the appointment of Archibald Hatton as Fort Warden?" the roll was called with the following result:

AYES—Messrs. Andrews, Barnard, Belcher, Briggs, Caldwell, Crane, Cronin, De Haven, Dyer, Evans, Farley, Finney, Fowler, Gaynor, Gwin, Kaye, Laville, Morley, McCoy, McGlynn, Neff, O'Connor, Ogden, Perkins, Tompkins, Turner, Tuttle, Ward, Wilson, and Wigg—29.

NOES—None.

Upon the question, "Will the Senate advise and consent to the appointment of Porter Ingalls as Fort Warden?" the roll was called with the following result:

AYES—Messrs. Andrews, Barnard, Belcher, Briggs, Caldwell, Crane, Cronin, De Haven, Dyer, Evans, Farley, Finney, Fowler, Gaynor, Gwin, Kaye,

Maclay, McCoy, Minis, Neff, O'Connor, Oulton, Pendegast, Perkins, Tompkins, Turner, Tuttle, Wand, Wilson, and Wing—27.

Noes—None.

SPECIAL ORDER.

Assembly Bill No. 342—An Act to divide the State into Congressional Districts.

Read a third time and passed.

Senate Bill No. 249—An Act entitled an Act to define the Senatorial and Assembly Districts of this State, and to apportion the representation thereof.

Mr. Farley moved to make the bill the special order for to-morrow, at two o'clock P. M.

Upon which the ayes and noes were demanded by Messrs. Duffy, Oulton, and Pendegast, and the Senate refused by the following vote:

Ayes—Messrs. Beck, Boggs, Boucher, De Haven, Dyer, Evans, Farley, Fowler, Gwin, Irwin, Larkin, McCoy, McKusick, McMurry, Minis, Neff, O'Connor, Tuttle, and Van Ness—19.

Noes—Messrs. Andross, Banvard, Betge, Comte, Crane, Duffy, Finney, Garratt, Goodale, Kent, Keys, Maclay, Oulton, Pendegast, Perkins, Tompkins, Turner, Wand, Wilson, and Wing—20.

Mr. Fowler moved to place the bill at the head of the file for to-morrow.

Upon which the ayes and noes were demanded by Messrs. Oulton, Maclay, and Finney, and the Senate so ordered by the following vote:

Ayes—Messrs. Beck, Boggs, Boucher, De Haven, Duffy, Dyer, Evans, Farley, Fowler, Gwin, Hutchings, Irwin, Larkin, McCoy, McKusick, McMurry, Minis, Neff, O'Connor, Perkins, Tuttle, Van Ness, and Wilson —23.

Noes—Messrs. Andross, Banvard, Betge, Comte, Crane, Finney, Garratt, Goodale, Kent, Keys, Maclay, Oulton, Pendegast, Tompkins, Turner, and Wand—17.

On motion of Mr. Evans, Assembly Bill No. 450 was made the special order for to-morrow, at four o'clock P. M.

GENERAL FILE.

Senate Bill No. 428—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State.

Amendments adopted. Rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 519—An Act in relation to the death penalty.

Upon the adoption of the report of the Judiciary Committee, recommending that the bill do not pass, the ayes and noes were demanded by Messrs. Finney, Gwin, and Fowler, and the Senate so ordered by the following vote:

Ayes—Messrs. Banvard, Beck, Boggs, Comte, Crane, De Haven, Evans, Farley, Garratt, McCoy, Minis, Neff, O'Connor, Oulton, Tompkins, Turner, Tuttle, Van Ness, Wand, Wilson, and Wing—21.

NOES—Messrs. Boucher, Finney, Fowler, Gwin, Hutchings, Kent, McKusick, and Perkins—8.

[Mr. Perkins in the chair.]

On motion of Mr. Beige, the rules were suspended for the consideration of Assembly Bill No. 469—An Act to amend an Act entitled an Act to provide for the improvement of public parks in the City of San Francisco, approved April fourth, eighteen hundred and seventy—this day reported from the San Francisco delegation.

The bill was amended, read a third time and passed.

On motion of Mr. Tompkins, Senate Bill No. 273 was taken from the table.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 483—An Act concerning the taxation of live stock.

Report of the Judiciary Committee, recommending that the bill do not pass, was adopted.

Senate Bill No. 465—An Act to amend an Act entitled an Act to regulate fees in office.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 415—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State.

Rules suspended, bill considered engrossed, read a third time and passed.

Substitute for Assembly Bill No. 212—An Act to amend an Act approved March twenty first, eighteen hundred and seventy, entitled an Act supplementary to and amendatory of an Act entitled an Act to authorize the Board of Supervisors of the several counties of this State to grant the right to construct wharves on the overflowed and submerged lands of this State.

Senate refused to adopt the amendment to the second section, and adopted the other amendments reported by the Judiciary Committee.

The bill was further amended, read a third time and passed.

At five o'clock P. M., the Senate took a recess until seven o'clock and thirty minutes P. M.

EVENING SESSION.

Senate reassembled at seven o'clock and thirty minutes P. M.

President pro tem in the chair.

Roll called.

Quorum present.

REPORT.

Mr. Wand verbally reported Senate Bill No. 509, and recommended its passage.

The bill was ordered at the bottom of the Special File for this evening.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
March 28th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty seventh day of March, passed Assembly Bill No. 712—An Act to amend an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, on same day, passed Assembly Bill No. 605—An Act to withdraw from market the salt marsh and tide lands lying in and around Humboldt Bay, Humboldt County, California.

Also, on same day, passed substitute for Assembly Bill No. 695—An Act in relation to the collection of street assessments in the City and County of San Francisco.

Also, on this twenty eighth day of March, passed Assembly Bill No. 416—An Act to authorize the Board of Education of the City and County of San Francisco to pay certain claims.

Also, concurred in Senate Concurrent Resolution No. 46—Relative to payment of money to S. C. Denson and E. H. Pomeroy, for services rendered.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 28th, 1872.

MR. PRESIDENT: In reply to the request of the Senate that Senate Bill No. 489—An Act to put into effect certain parts of the Political Code—be returned to the Senate for correction of a clerical error, I am instructed by the Assembly to inform the Senate that compliance with such request is impossible, as the bill referred to has passed through all the stages of legislation in the Assembly.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 28th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-seventh day of March, refused to pass Senate Bill No. 370—An Act to provide for the incorporation of tramroad companies in certain counties of this State.

Also, on the twenty-eighth day of March, receded from its amendments, as far as it relates to Contra Costa County, to Senate Bill No. 493—An Act in relation to the Political Code.

Also, on the same day, passed, under suspension of the rules, Senate Bill No. 449—An Act concerning the office of Sheriff of Humboldt County.

Also, on the same day, passed Senate Bill No. 379—An Act to authorize Margaret McDanel, administratrix of the estate of Thomas McDanel, deceased, to borrow money to pay the debts of the estate.

Also, on the same day, passed Assembly Bill No. 179—An Act concerning unlawful holding over of dwelling houses, tenement houses, shops, and stores, and land leased therewith.

Also, on the same day, passed Senate Bill 420—An Act supplementary

to an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two.

Also, on the same day, adopted Assembly Concurrent Resolution No. 33—Relative to requesting the Governor to return to the Assembly for correction Assembly Bill No. 670.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 28th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-seventh day of March, passed Assembly Bill No. 335—An Act to amend an Act approved March twelfth, eighteen hundred and sixty-eight, entitled an Act to provide for the drainage of the City of Sacramento and the lands of Swamp Land District Number Two.

Also, on the same day, passed Assembly Bill No. 750—An Act granting the right of way in the Counties of Lake and Mendocino for the construction of a wagon road.

Also, on this twenty-eighth day of March, passed, under a suspension of the rules, Assembly Bill No. 771—An Act to amend an Act entitled an Act to reincorporate the City of Vallejo, approved March twenty-seventh, eighteen hundred and seventy-two.

Also, passed Assembly Bill No. 772—An Act amendatory of an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties of this State and to provide for a bounty for the same.

Also, passed Assembly Bill No. 773—An Act supplementary to an Act to authorize and provide for the payment by the County of Amador to the County of Calaveras, or its assigns, of interest in certain indebtedness due from the County of Amador to the County of Calaveras, approved March thirty-first, eighteen hundred and sixty-six.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 28th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-eighth day of March, adopted Assembly Concurrent Resolution No. 34—Relative to authorizing and directing the State Printer to print one thousand copies of the Annual Report of the Transactions of the State Medical Society.

Also, on the same day, passed Assembly Bill No. 243—An Act to amend an Act entitled an Act to authorize the incorporation of canal companies and the construction of canals.

Also, on the twenty-seventh day of March, passed Assembly Bill No. 721—An Act to submit to the qualified electors of Sutter County the permanent location of the county seat of said county.

Also, on the twenty-eighth day of March, passed Assembly Bill No. 741—An Act to authorize the Board of Supervisors of Kern County to purchase a certain toll road.

Also, on the same day, passed Assembly Bill No. 756—An Act to protect settlers on State lands.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 179, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bills Nos. 712 and 756, above reported, severally read first and second times and referred to the Committee on Public Lands.

Assembly Bill No. 605, above reported, read first and second times and referred to the Committee on Swamp and Overflowed Lands.

Assembly Bills Nos. 695 and 416, above reported, were severally read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 335, above reported, read first and second times and referred to the Sacramento delegation.

Assembly Bill No. 750, above reported, read first and second times and referred to the Mendocino delegation.

Assembly Bill No. 771, above reported, read first and second times, bill read a third time and passed.

Assembly Bills Nos. 772 and 243, above reported, read first and second times and referred to the Committee on Agriculture.

Assembly Bill No. 773, above reported, read first and second times, rules suspended, bill read a third time and passed.

Assembly Bill No. 721, above reported, read first and second times and referred to the Committee on Counties and County Boundaries.

Assembly Bill No. 741, above reported, read first and second times, rules suspended, bill read a third time and passed.

Assembly Concurrent Resolutions Nos. 33 and 34, above reported, were adopted.

SPECIAL FILE.

Assembly Bill No. 740—An Act to provide for the issue of bonds in Reclamation District Number One Hundred and Eight.

Recommitted to the Yolo and Colusa delegation.

Assembly Bill No. 617—An Act extending time to the City Railroad Company.

Report of the San Francisco delegation, recommending that the bill do not pass, was adopted.

Assembly Bill No. 317—An Act to provide for the protection of an open canal through Channel street, in the City and County of San Francisco.

The bill was read a third time, and upon the passage of the bill the ayes and noes were demanded by Messrs. Finney, Oulton, and Kent, and the Senate so ordered by the following vote:

AYES—Messrs. Andross, Banvard, Beck, Betge, Boggs, Duffy, Dyer, Evans, Farley, Fowler, Garratt, Gwin, Kent, Larkin, Maclay, Minis, Pendegast, Perkins, Van Ness, Wand, Wilson, and Wing—22.

NOES—Messrs. Boucher, Comte, Crane, De Haven, Finney, Goodale, Hutchings, McKusick, Neff, O'Connor, Oulton, Tompkins, and Turner —13.

Mr. Garratt gave notice that he would to-morrow move to reconsider the vote by which the report of the San Francisco delegation, recommending that Assembly Bill No. 617 do not pass, was adopted.

Assembly Bill No. 207—An Act to amend an Act to establish a Paid Fire Department in the City of San Francisco.

Passed on file.

Senate Resolution—Relative to allowing Hon. Thomas Beck expenses in the contested election case of Flint versus Beck.

Adopted.

Assembly Bill No. 595—An Act supplementary to the Act of April twenty fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento.

Read a third time and passed.

Senate Bill No. 467—An Act to authorize the Board of Supervisors of Monterey County to submit to the qualified electors thereof the question of division of said county, and to provide for the organization of San Benito County.

Report of the Judiciary Committee, recommending that the bill do not pass, was adopted.

REPORT.

By Mr. McMurry:

Mr. PRESIDENT: Your Committee on Enrollment have examined and find correctly enrolled Senate Bill No. 444—An Act to protect growing crops and grain in the County of Inyo.

Also, Senate Bill No. 322—An Act to amend an Act entitled an Act to create and organize the University of California, approved March twenty-third, eighteen hundred and sixty-eight.

Also, Senate Bill No. 468—An Act supplementary to an Act entitled an Act to provide for the erection of a Court House and Jail in the County of Stanislaus, approved February first, eighteen hundred and seventy-two.

Also, Senate Bill No. 432—An Act to authorize the Board of Supervisors of Yolo County to approve and certify claims against Swamp Land District Number Eighteen.

Also, Senate Bill No. 275—An Act to add an additional section to the Penal Code.

Also, Senate Bill No. 343—An Act authorizing the issuance of State bonds to the amount of two hundred and fifty thousand dollars, to be known as the State Capitol Bonds of eighteen hundred and seventy-two.

Also, Senate Bill No. 394—An Act amendatory of an Act in relation to the county officers of Sierra County, approved March twelfth, eighteen hundred and seventy.

Also, Senate Bill No. 338—An Act to amend an Act to provide for the management and sale of lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, Senate Bill No. 460—An Act concerning streams in the County of Santa Clara.

Also, Senate Bill No. 383—An Act to amend an Act entitled an Act to regulate and license places of public amusements, approved April thirteenth, eighteen hundred and sixty-three.

Also, Senate Bill No. 302—An Act to regulate the practice of pharmacy in the City and County of San Francisco.

Also, Senate Bill No 377—An Act to authorize the Trustees of the Town of Colusa to call an election of the qualified voters of said town to vote upon the continuance or dissolution of the municipal corporation of said town.

Also, Senate Bill No. 471—An Act amendatory of and supplementary to an Act concerning roads in the County of Butte, approved March twelfth, eighteen hundred and seventy-two.

Also, Senate Bill No. 320—An Act to protect agriculture and to prevent the trespassing of animals in the County of Colusa.

And have presented the same to the Governor for his approval this day, at eight o'clock and twenty-five minutes P. M.

McMURRY, for Committee.

SPECIAL FILE RESUMED.

Assembly Bill No. 494—An Act to authorize George W. Chesley and his assigns to lay down gas pipes in the City of Sacramento.

Read a third time and passed.

Assembly Bill No. 473—An Act to repeal an Act entitled an Act to provide for the improvement of the rivers and streams of Santa Clara County.

Read a third time and passed.

Assembly Bill No. 680—An Act to authorize the Board of Supervisors of Merced County to levy a special tax for road purposes.

Read a third time and passed.

Assembly Bill No. 681—An Act to encourage the destruction of squirrels and gophers in the Counties of Santa Barbara and San Luis Obispo.

Passed on file.

Assembly Bill No. 661—An Act to amend an Act entitled an Act concerning roads and highways in the County of Sacramento.

Amended, bill read a third time and passed.

Assembly Bill No. 263—An Act to aid in providing a supply of pure fresh water from Lake Bigler (sometimes called Lake Tahoe) for the use of the inhabitants of the City and County of San Francisco.

Mr. Oulton moved to indefinitely postpone the bill, upon which the ayes and noes were demanded by Messrs. Oulton, Evans, and Maclay, and the Senate refused by the following vote:

AYES—Messrs. Boucher, Comte, Dyer, Evans, Farley, Garratt, Goodale, Gwin, Irwin, Larkin, McMurry, O'Connor, Oulton, Perkins, Turner, Tuttle, and Wand—17.

NOES—Messrs. Andross, Banvard, Beck, Betge, Duffy, Finney, Fowler, Hutchings, Kent, Maclay, McCoy, McKusick, Minis, Neff, Pendegast, Tompkins, Wilson, and Wing—18.

REPORT.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 499—An Act to except certain counties from certain sections of an Act entitled an Act to put into effect certain parts of the Codes and to provide for their publication; approved March twenty-second, eighteen hundred and seventy two.

TUTTLE, for Committee.

At eleven o'clock and ten minutes P. M., on motion of Mr. Duffy, the Senate adjourned.

J. T. FARLEY,
President pro tem.

ROBERT FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Friday, March 29th, 1872.

Senate met pursuant to adjournment.
President pro tem in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
The reading of the journal was dispensed with and considered approved.

REPORTS.

Reports were made as follows:

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 431—An Act to provide for collecting a hospital poll tax in the County of Colusa.

Also, Senate Bill No. 269—An Act to provide for the location, construction, and maintenance of public roads in the County of Colusa.

NEFF, for Committee.

PETITION.

Mr. Irwin presented a petition from citizens of Siskiyou County, for the repeal of an Act for the relief of J. E. Carr.

Referred to the Siskiyou delegation.

REPORTS CONTINUED.

Mr. Larkin verbally reported Senate Bill No. 434 and Assembly Bill No. 370, and recommended that they do not pass.

By Mr. Perkins:

Mr. PRESIDENT: The Committee on Claims, to whom was referred Senate Bill No. 475—An Act for the relief of George F. Allard—have had the same under consideration, and respectfully report it back and recommend it do not pass, for the reason we find that the services for which the claim is based was performed under a special Act, which expressly provides that all the expenses of the survey shall be paid from the Treasury of the county where said services were rendered.

Also, have had under consideration Senate Bill No. 356—An Act for the relief of Charles Tupper—and report it back with the recommendation that it do not pass.

Also, Assembly Bill No. 722—An Act for the relief of J. Johnson—and respectfully report it back and recommend its passage.

PERKINS, Chairman.

By Mr. Fowler:

Mr. PRESIDENT: Your Committee on Public Lands, to whom was re-

ferred Assembly Bill No. 593—An Act to provide for the designation of the true meridian in the several counties of the State—having duly considered the same, beg leave to report that inasmuch as the meridian has been already defined with sufficient accuracy to answer all practical purposes by United States Engineers and Surveyors, your committee deem it unadvisable to entail upon the several counties the expense which would ensue in carrying out the provisions of this Act; they therefore report said bill back and recommend that it do not pass.

Your committee have also considered Assembly Bill No. 437—An Act to facilitate the settlement of vacant lands in the State of California—and beg leave to report that, in their opinion, the facilities sought to be obtained by said bill have been already amply provided for by the existing laws and regulations of the Land Office; that while said bill is plausible in its title and special in its provisions, it is, nevertheless, calculated to add to the already sufficient burthen of taxation in the several counties without a corresponding benefit. Your committee, therefore, report said bill back and recommend that it do not pass.

FOWLER, Chairman.

By Mr. Tompkins:

Mr. PRESIDENT: The Committee on Judiciary have had under consideration Assembly Bill No. 641—An Act to take preliminary steps for calling a Convention to amend, remodel, or propose a new Constitution for the State of California.

Also, Assembly Bill No. 431—Proposed amendments to the Constitution, to strike out sections thirty-four and thirty-five of Article IV of the Constitution. [These sections prohibit the granting of any charter by the Legislature for banking purposes.]

Also, Assembly substitute for Assembly Bill No. 604—An Act to prohibit barbarous and noisy amusements on the Christian Sabbath. [See title and not indorsement.]

Also, Assembly substitute for Assembly Bill No. 187—An Act creating the office of Bank Commissioner, and other matters relating thereto.

And report the same back and recommend that they do not pass.

Also, have had under consideration Assembly Bill No. 649—An Act supplementary to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one.

Also, Assembly Bill No. 707—An Act to amend section eight hundred and fifty-nine of the Code of Civil Procedure.

Also, Assembly Bill No. 708—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

And report the same back and recommend their passage.

Also, have had under consideration Senate Bill No. 392—An Act for the relief of the executors of the last will and testament of Jacob Shumway, deceased—and report the same back to abide the action of the Senate in relation to Assembly Bill No. 649, the passage of which by the Senate will fully accomplish the purpose intended by Senate Bill No. 392.

Also, have had under consideration Senate Bill No. 418—An Act to reincorporate the City of Petaluma.

Also, Senate Bill No. 488—An Act supplementary to an Act entitled an Act to reincorporate the City of Petaluma, approved March twenty-seventh, eighteen hundred and sixty-eight.

And report the same back and recommend the passage of Senate Bill No. 488, in lieu of Senate Bill No. 418, and that the latter bill do not pass.

Also, Assembly substitute for Assembly Bill No. 112—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty ninth, eighteen hundred and fifty one—and report the same back.

This bill amends section two hundred and nineteen of the Practice Act, providing for the exemption of certain property from execution. The Senate adopted certain amendments to the bill, to which the Assembly refused to concur. The committee recommend that the Senate adhere to the amendments adopted by it.

TOMPKINS, Chairman.

The rules were suspended, and Assembly Bill No. 649, above reported, was read a third time and passed.

On motion of Mr. Duffy, the rules were suspended for the consideration of Assembly Bill No. 722, this day reported by the Committee on Claims.

Mr. Larkin moved to indefinitely postpone the bill.

Lost.

The bill was read a third time and passed.

Mr. Fowler verbally reported Assembly Bill No. 712, and recommended its reference to the Committee on Swamp and Overflowed Lands.

The bill was so referred.

Mr. Fowler verbally reported Assembly Bill No. 756, with a substitute, and recommended the passage of the substitute.

The rules were suspended, substitute adopted, bill read a third time and passed.

By Mr. Beck:

Mr. PRESIDENT: Your Committee on Public Buildings, to whom was referred Senate Bill No. 251—An Act to authorize an appropriation of money for the purpose of obtaining six paintings in oil by Gideon Denny, of San Francisco, illustrative of events in and scenery of California, to be placed in the State Capitol—report the same back without recommendation.

BECK, for Committee.

Mr. O'Connor verbally reported Assembly Bill No. 754, with a substitute, and recommended the adoption of the substitute.

The rules were suspended, substitute adopted, bill read a third time and passed.

Mr. Finney verbally reported Assembly Bills No. 734 and No. 735, and recommended their passage.

The rules were suspended, and Assembly Bills No. 734 and No. 735, above reported, were severally read a third time and passed.

Mr. Finney verbally reported Assembly Bill No. 621, and recommended that the same do not pass.

By Mr. Wand:

Mr. PRESIDENT: The San Francisco delegation have had the following bills under consideration, and report them back as follows:

Assembly Bill No. 694—An Act to provide for the repair and improvement of roads and highways in the City and County of San Francisco—reported back without recommendation.

Also, Assembly Bill No. 644—An Act to provide for the support of men belonging to the Paid Fire Department of the City and County of San Francisco who may be disabled while in the performance of their duties—passage recommended.

Also, Assembly Bill No. 706—An Act to amend an Act entitled an Act to repeal an Act to declare and regulate the power of the Board of Supervisors of the City and County of San Francisco to take private lands for certain public improvements, and to prescribe the manner of its execution, approved April fourth, eighteen hundred and sixty four, approved March thirtieth, eighteen hundred and sixty-eight—passage recommended.

Also, Assembly Bill No. 715—An Act amending an Act concerning the Harbormaster of the City and County of San Francisco, approved March twenty-fifth, eighteen hundred and fifty-seven.

Passage recommended.

Also, Assembly Bill No. 667—An Act supplementary to an Act entitled an Act supplementary to an Act entitled an Act to establish the Industrial School Department of the City and County of San Francisco, approved April fifteenth, eighteen hundred and fifty-eight, approved February fifteenth, eighteen hundred and sixty-four.

Passage recommended.

Also, substitute for Assembly Bill No. 695—An Act in relation to the collection of street assessments in the City and County of San Francisco.

Reported back without recommendation.

Also, Assembly Bill No. 416—An Act to authorize the Board of Education of the City and County of San Francisco to pay certain claims.

Reported back without recommendation.

Also, Assembly Bill No. 106—An Act to repeal section four of an Act to provide and pay for services rendered for the City and County of San Francisco, approved March fourth, eighteen hundred and seventy.

Passage recommended.

WAND, for Delegation.

The rules were suspended, and Assembly Bill No. 644, above reported, was read a third time and passed.

Mr. Fowler verbally reported Assembly Bill No. 648, and recommended its passage.

The rules were suspended, bill read a third time and passed.

Mr. Minis verbally reported Assembly Bill No. 762, and recommended its passage.

The rules were suspended, bill read a third time; and, upon the passage of the bill, the ayes and noes were demanded by Messrs. Tompkins, Minis, and Neff, and the Senate so ordered by the following vote:

Ayes—Messrs. Andross, Banvard, Betge, Boggs, Comte, Crane, Duffy, Evans, Farley, Fowler, Hutchings, Kent, Keys, Larkin, Maclay, McCoy, Minis, Pendegast, Wand, and Wing—20.

Noes—Messrs. Beck, Boucher, Dyer, Finney, Goodale, Gwin, McKusick, McMurry, Neff, O'Connor, Perkins, Tompkins, Turner, Tuttle, and Wilson—15.

Mr. Duffy verbally reported Assembly Bill No. 335, with an amendment, and recommended its passage.

By Mr. Keys:

Mr. PRESIDENT: The Merced delegation, to whom was referred Assembly Bill No. 175—An Act entitled an Act to locate the county seat of Merced County—report the same back, and recommend that it pass.

KEYS, for Delegation.

Mr. Irwin verbally reported Assembly Bill No. 684, and recommended its passage.

Mr. Perkins verbally reported Assembly Bill No. 711, and recommended its passage.

By Mr. Boggs:

Mr. PRESIDENT: The Tehama delegation have had under consideration Assembly Bill No. 730—An Act for the support of certain cemeteries of Tehama County—and recommend its passage.

BOGGS, for Delegation.

Mr. McMurry verbally reported Senate Resolution—Relative to the purchase of the portrait of ex-Governor Bigler—majority recommend that it do not pass.

By Mr. Pendegast:

Mr. PRESIDENT: The Lake and Napa Counties delegation, to whom was referred Assembly Bills Nos. 725 and 727, respectively entitled an Act to authorize the Supervisors of Lake County to issue bonds for the constructing of a public road in said county, and an Act to authorize R. N. Steeve to construct and maintain a wharf at Soda Bay, in the County of Lake; also, Assembly Bill No. 663—An Act concerning certain offices in Napa County, prescribing the duties and regulating the fees and salaries thereof—have had the same under consideration, and report them back recommending their passage.

PENDEGAST, for Delegation.

By Mr. Turner:

Mr. PRESIDENT: The committee appointed by concurrent resolution to inquire into and report upon the condition of the lands belonging to the State, have examined the matter as carefully as they could with the limited time they had, and submit the following report, and respectfully ask that it be transmitted to the Assembly, as there is no duplicate copy.

TURNER, for Committee.

The report was so referred.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 29th, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 250—An Act to reincorporate the Town of Santa Rosa.

Also, Senate Bill No. 493—An Act in relation to the Political Code.

Also, Senate Bill No. 500—An Act appropriating fifty-six thousand dollars in United States legal tender notes, for the payment of the necessary incidental expenses of the State Capitol and Governor's Mansion.

Also, Senate Bill No. 444—An Act to protect growing crops and grain in the County of Inyo.

Also, Senate Bill No. 468—An Act supplementary to an Act entitled an Act to provide for the erection of a Court House and Jail in the County of Stanislaus, approved February first, eighteen hundred and seventy-two.

Also, Senate Bill No. 59—An Act to provide for legalizing of certain assessments in the County of Sierra.

Also, Senate Bill No. 320—An Act to protect agriculture, and to prevent the trespassing of animals in the County of Colusa.

Also, Senate Bill No. 343—An Act authorizing the issuance of State bonds to the amount of two hundred and fifty thousand dollars, to be known as State Capitol Bonds of eighteen hundred and seventy-two.

Also, Senate Bill No. 458—An Act to provide for the introduction of good and pure water into the Town of San Luis Obispo.

Also, Senate Bill No. 291—An Act entitled an Act for the relief of Jos. S. Emery.

Also, Senate Bill No. 322—An Act to amend an Act entitled an Act to create and organize the University of California, approved March twenty-third, eighteen hundred and sixty-eight.

Also, Senate Bill No. 479—An Act concerning the District Tax Collectors of Placer County.

Also, Senate Bill No. 406—An Act to extend an Act entitled an Act concerning District Court Reporters, approved March thirteenth, eighteen hundred and sixty six, to the nineteenth Judicial District of the State of California.

Also, Senate Bill No. 496—An Act authorizing the Board of Supervisors of the County of Santa Clara to pay to the Sheriff of said county certain moneys therein mentioned.

Also, Senate Bill No. 275—An Act to add an additional section to the Penal Code.

Also, Senate Bill No. 471—An Act amendatory of and supplementary to an Act concerning roads in the County of Butte, approved March twelfth, eighteen hundred and seventy-two.

Also, Senate Bill No. 476—An Act to authorize and empower the Board of Trustees of the Town of Suisun City to grade and improve the streets and alleys of said town.

Also, Senate Bill No. 383—An Act to amend an Act entitled an Act to

regulate and license places of public amusement, approved April thirteenth, eighteen hundred and sixty-three.

Also, Senate Bill No. 460—An Act concerning streams in the County of Santa Clara.

Also, Senate Bill No. 344—An Act to provide for the accommodation of the insane of the State of California, and to provide a special fund therefor.

Also, Senate Bill No. 357—An Act to amend an Act entitled an Act concerning roads in the Counties of Santa Barbara and San Luis Obispo, approved February twenty-first, eighteen hundred and seventy-two.

Also, Senate Bill No. 338—An Act to amend an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight.

Also, Senate Bill No. 302—An Act to regulate the practice of pharmacy in the City and County of San Francisco.

NEWTON BOOTH, Governor.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
March 29th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-eighth day of March, passed Assembly Bill No. 769—An Act to make appropriations for the support of the civil government of the State of California, for the tweney-fourth and twenty fifth fiscal years.

Also, refused to concur in Senate amendments to Assembly amendments to Senate Bill No. 462—An Act authorizing the Board of State Harbor Commissioners to reduce or abolish the rates of dockage, wharfage, and tolls.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 29th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this twenty-ninth day of March, passed Assembly Bill No. 775—An Act to amend an Act entitled an Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to the town lands granted to unincorporated towns in this State by the Act of Congress entitled an Act for the relief of the inhabitants of cities and towns upon the public lands, approved March second, eighteen hundred and sixty-seven, approved March thirtieth, eighteen hundred and sixty-eight.

And the same was ordered transmitted immediataly to the Senate without engrossment.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 29th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this twenty-ninth day of March, passed Senate Bill No. 465—An Act to amend an Act entitled an Act to regulate fees in office.

Also, adopted and passed substitute for Senate Bill No. 361—An Act to provide a system of common schools.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 769, above reported, read first and second times and made the special order for this day at two o'clock P. M.

Assembly Bill No. 775, above reported, read first and second times and referred to the Committee on Public Lands.

Substitute for Senate Bill No. 361, above reported, read first and second times and referred to the Committee on Education.

Senate Bill No. 462, above reported, Assembly refuse to concur in Senate amendment to Assembly amendment. Upon the question "Will the Senate recede from its amendment?" the ayes and noes were demanded by Messrs. Oulton, Finney, and Tompkins, and the Senate so ordered by the following vote:

AYES—Messrs. Andross, Banvard, Beck, Betge, Boggs, Comte, Crane, Dyer, Farley, Finney, Garratt, Goodale, Gwin, Hutchings, Kent, Keys, Maclay, McCoy, McKusick, Oulton, Pendegast, Perkins, Turner, Tuttle, Van Ness, Wand, and Wing—27.

NOES—Messrs. Boucher, De Haven, Duffy, Evans, Fowler, Larkin, McMurry, Neff, O'Connor, and Tompkins—10.

SPECIAL ORDER.

Senate Bill No. 503—An Act to appropriate funds for the relief of the several Orphan Asylums of the State.

Rules suspended, bill considered engrossed, read a third time and passed.

Senate Bill No. 502—An Act making appropriation for deficiencies in the appropriation made for the twenty second and twenty-third fiscal years.

Mr. Duffy moved to strike out that portion of the bill providing for clerk hire.

Upon the motion to strike out, the ayes and noes were demanded by Messrs. Duffy, Banvard, and Beck, and the Senate refused by the following vote:

AYES—Messrs. Andross, Boucher, Crane, Duffy, Dyer, Finney, Goodale, McMurry, O'Connor, Oulton, Turner, and Wing—12.

NOES—Messrs. Banvard, Beck, Betge, Comte, Evans, Farley, Garratt, Gwin, Hutchings, Irwin, Kent, Keys, Larkin, Maclay, Minis, Pendegast, Perkins, Tompkins, Tuttle, Van Ness, and Wand—21.

The rules were suspended, bill considered engrossed, read a third time and passed.

REPORT.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Education have had under consideration Senate Bill No. 361—An Act to provide a system of common schools—and report the same back, and recommend that the Senate do not concur in Assembly substitute for the bill.

TUTTLE,
PENDEGAST,
GWIN,
LARKIN.

The rules were suspended for the consideration of Senate Bill No. 361, above reported.

Senate refused to concur in the Assembly substitute.

At one o'clock P. M., the Senate took a recess for one hour.

REASSEMBLED.

Senate reassembled at two o'clock P. M.

President pro tem in the chair.

Roll called.

Quorum present.

SPECIAL ORDER.

Assembly Bill No. 769—An Act to make appropriations for the support of the civil government of the State of California for the twenty-fourth and twenty-fifth fiscal years.

On motion of Mr. O'Connor, the bill was referred to the Finance Committee with instructions to report to-morrow.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
March 29th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty eighth day of March, passed Assembly Bill No. 766—An Act to repeal an Act entitled an Act to aid the Mercantile Library Association of the City and County of San Francisco in paying its indebtedness, approved February nineteenth, eighteen hundred and seventy.

Also, on this twenty-ninth day of March, passed Senate Bill No. 504—An Act to amend an Act entitled an Act to regulate the salaries and fix the compensation of certain county officers in the County of Nevada, approved March sixth, eighteen hundred and seventy.

Also, passed Assembly Bill No. 776—An Act in relation to the Clerk of the Board of Supervisors of Sacramento County.

Also, passed Senate Bill No. 401—An Act supplementary to an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Also, refused to pass Senate Bill No. 411—An Act to regulate planting and propagating lobsters and eels in this State.

Also, passed Senate Bill No. 505—An Act authorizing the Board of Supervisors of San Mateo County to settle certain claims against said county.

Also, passed with amendment, Senate Bill No. 506—An Act to appropriate money for contingent expenses of the Senate at the nineteenth session of the Legislature.

Also, amended and passed Senate Bill No. 491—An Act to amend an Act entitled an Act to regulate fees and salaries of officers and defining their duties in the County of El Dorado, and other matters relating thereto, approved March fifth, eighteen hundred and seventy.

Also, passed Senate Bill No. 495—An Act amendatory of an Act entitled an Act to amend an Act to fix the term of the County Court and Probate Court of the County of Sonoma, approved March thirtieth, eighteen hundred and sixty-eight.

Also, adopted Assembly Concurrent Resolution No. 35—Relative to printing of report of joint committee on the condition of the public lands of the State.

Also, adopted Assembly Concurrent Resolution No. 36—Relative to requesting the Governor to return Assembly Bill No. 382, and the Enrolling Clerk to correct a clerical error—and respectfully ask your concurrence in the resolutions.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 29th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-eighth day of March, passed Assembly Bill No. 768—An Act to quiet title to certain lands in the County of Yolo.

Also, on same day, passed Assembly Bill No. 669—An Act to legalize certain acknowledgments.

Also, on the same day, passed Assembly Bill No. 686—An Act concerning the office of Sheriff of the City and County of San Francisco.

Also, on the same day, passed Senate Bill No. 489—An Act to put into effect certain parts of the Political Code.

Also, on this twenty-ninth day of March, passed Senate Bill No. 288—An Act repealing Article IV of an Act entitled an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved April nineteenth, eighteen hundred and fifty-six, and all Acts and parts of Acts amendatory and supplementary, and substitute this Act for said Article IV.

Also, passed Senate Bill No. 481—An Act to provide for the incorporation of tramroad companies in the County of Shasta.

Also, passed Senate Bill No. 373—An Act to provide for the location of towpaths along the banks of navigable streams.

Also, passed Senate Bill No. 445—An Act to protect fish in the waters of Sierra and Plumas Counties.

Also, passed Senate Bill No. 448—An Act for the relief of John J. Conlin.

Also, passed Senate Bill No. 307—An Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, approved April nineteenth, eighteen hundred and fifty-six.

Also, amended and passed Senate Bill No. 326—An Act to promote irrigation.

Also, adopted and passed substitute for Senate Bill No. 485—An Act to authorize the Board of Supervisors of El Dorado County to levy a special tax.

Also, adopted and passed substitute for Senate Bill No. 510—An Act to extend the provisions of the Act entitled an Act to protect agriculture and to prevent the trespassing of animals upon private property, approved March twenty-seventh, eighteen hundred and seventy-two, to a part of the County of Monterey.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 768, above reported, read first and second times and referred to the Yolo delegation.

Assembly Bill No. 669, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 686, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 666, above reported, read first and second times.

Mr. Duffy moved to suspend the rules for the consideration of the bill, upon which the ayes and noes were demanded by Messrs. O'Connor, Maclay, and Tompkins, and the Senate so ordered by the following vote:

AYES—Messrs. Banvard, Beck, Betge, Boggs, Boucher, Comte, Crane, Duffy, Dyer, Evans, Farley, Garratt, Gwin, Hutchings, Kent, Keys, Maclay, McCoy, McKusick, McMurry, Minis, Neff, Oulton, Pendegast, Perkins, Turner, Tuttle, Wand, Wilson, and Wing—30.

NOES—Messrs. De Haven, Finney, Goodale, Larkin, O'Connor, and Tompkins—6.

The bill was read a third time and passed.

Mr. O'Connor gave notice that he would on to-morrow move to reconsider the vote by which the Senate passed Assembly Bill No. 666.

Assembly Bill No. 491, above reported, amendments made by the Assembly concurred in by the Senate.

Senate Bill No. 506, above reported, amendments made by the Assembly concured in by the Senate.

Senate Bill No. 510, above reported, referred to the Committtee on Agriculture.

Senate Bill No. 326, above reported, amendments made by the Assembly concurred in by the Senate.

Assembly Bill No. 776, above reported, read first and second times, rules suspended, bill amended, read a third time and passed.

Assembly Concurrent Resolution No. 35, above reported, read and adopted.

Assembly Concurrent Resolution No. 36, above reported, read and adopted.

GENERAL FILE.

Senate Bill No. 249—An Act entitled an Act to define the Senatorial and Assembly districts of this State.

Mr. Pendegast moved to lay the bill upon the table, upon which the

ayes and noes were demanded by Messrs. Larkin, Oulton, and Duffy, and the Senate so ordered by the following vote:

AYES—Messrs. Andross, Banvard, Beck, Comte, Crane, Duffy, Finney, Garratt, Goodale, Hutchings, Kent, Keys, Maclay, McKusick, Oulton, Pendegast, Perkins, Tompkins, Turner, Van Ness, Wand, and Wing—22.

NOES—Messrs. Boggs, Boucher, De Haven, Dyer, Evans, Farley, Fowler, Gwin, Irwin, Larkin, McCoy, McMurry, Minis, Neff, O'Connor, Tuttle, and Wilson—17.

Assembly Bill No. 343—An Act to define the Senatorial and Assembly districts of this State.

Mr. Boggs moved to lay the bill upon the table, upon which the ayes and noes were demanded by Messrs. O'Connor, Oulton, and Larkin, and the Senate refused by the following vote:

AYES—Messrs. Boggs, Boucher, De Haven, Dyer, Farley, Fowler, Gwin, Irwin, Larkin, McCoy, McMurry, Neff, O'Connor, Perkins, and Wilson—15.

NOES—Messrs. Andross, Banvard, Beck, Comte, Crane, Duffy, Finney, Garratt, Hutchings, Kent, Keys, Maclay, McKusick, Minis, Oulton, Pendegast, Tompkins, Turner, Van Ness, and Wing—20.

Mr. Minis moved to indefinitely postpone the bill, upon which the ayes and noes were demanded by Messrs. O'Connor, Larkin, and Minis, and the Senate refused by the following vote:

AYES—Messrs. Boggs, Boucher, Crane, De Haven, Dyer, Evans, Farley, Fowler, Gwin, Irwin, Larkin, McCoy, McMurry, Minis, Neff, O'Connor, Perkins, Tuttle, and Wilson—19.

NOES—Messrs. Andross, Banvard, Beck, Betge, Comte, Duffy, Finney, Garratt, Goodale, Hutchings, Kent, Keys, Maclay, McKusick, Oulton, Pendegast, Tompkins, Turner, Van Ness, Wand, and Wing—21.

SPECIAL ORDER.

Assembly Bill No. 450—An Act to provide for the purchase of stationery, blank books, light, fuel, furniture, etc., for State officers and members of the Legislature.

On motion of Mr. Oulton, the special order was laid on the table.

Mr. Fowler moved to make Assembly Bill No. 343 the special order for to-morrow, at twelve o'clock M.

Upon which the ayes and noes were demanded by Messrs. O'Connor, Fowler, and Larkin, and the Senate refused by the following vote:

AYES—Messrs. Boggs, Boucher, Crane, De Haven, Dyer, Evans, Farley, Fowler, Gwin, Hutchings, Irwin, Larkin, McCoy, McMurry, Minis, Neff, O'Connor, Perkins, Tuttle, and Wilson—20.

NOES—Messrs. Andross, Banvard, Beck, Betge, Comte, Duffy, Finney, Garratt, Goodale, Kent, Keys, Maclay, McKusick, Oulton, Pendegast, Tompkins, Turner, Van Ness, Wand, and Wing—20.

Mr. Oulton moved the previous question.

Upon the question, "Shall the main question be now put?" the ayes and noes were demanded by Messrs. O'Connor, Minis, and Fowler, and the Senate refused by the following vote:

AYES—Messrs. Andross, Banvard, Betge, Comte, Crane, Duffy, Finney, Garratt, Goodale, Kent, Keys, Maclay, McKusick, Oulton, Pendegast, Tompkins, Turner, Wand, and Wing—19.

NOES—Messrs. Beck, Boggs, Boucher, De Haven, Dyer, Evans, Farley, Fowler, Gwin, Hutchings, Irwin, Larkin, McCoy, McMurry, Minis, Neff, O'Connor, Perkins, Tuttle, Van Ness, and Wilson—21.

At five o'clock P. M. the Senate took a recess until half-past seven this evening.

EVENING SESSION.

Senate reassembled at half-past seven o'clock P. M.
President pro tem in the chair.
Roll called.
Quorum present.

MOTION.

On motion of Mr. Finney, Assembly Bill No. 477—An Act to provide for the establishment of a Cabinet Department in the State Library—was ordered at the head of the General File for to-morrow.

MESSAGES FROM THE ASSEMBLY.

The following Assembly messages were read:

ASSEMBLY CHAMBER,
March 29th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-ninth day of March, passed Assembly Joint Resolution No. 7—Relative to granting bounty to the First Battalion of Mountaineers, California Volunteers, etc.

Also, on the same day, passed Assembly Bill No. 767—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco.

Also, on the same day, passed Senate Bill No. 483—An Act to give immediate effect to certain provisions of the Political Code.

Also, on the same day, refused to pass Senate Bill No. 348—An Act to establish meteorological stations in the various counties of this State.

Also, on the same day, refused to pass Senate Bill No. 463—An Act for the relief of Isaac Hobbs, ex-Sheriff of Solano County.

Also, on the same day, passed Assembly Bill No. 625—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Also, on the same day, passed substitute for Assembly Bill No. 732—An Act to amend sections two thousand three hundred and one, two thousand three hundred and two, and two thousand three hundred and three of the Political Code.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 29th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this twenty-ninth day of March, passed Assembly Bill No. 779—An Act in regard to public thoroughfares and property in the City and County of San Francisco.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 29th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this twenty-ninth day of March, passed substitute Assembly Bill No. 228—An Act to provide for the payment of damages caused by changing the grade of Second street, in the City and County of San Francisco.

Also, adopted Assembly Concurrent Resolution No. 31—Recommending pardon of certain criminals.

Also, passed Senate Bill No. 431—An Act to provide for collecting a hospital poll tax in the County of Colusa.

Also, passed Senate Bill No. 474—An Act providing for the refunding of bonded indebtedness of the County of Santa Clara.

Also, passed Assembly Bill No. 527—An Act for the relief of Thomas N. Long.

Also, passed Senate Bill No. 197—An Act to amend an Act entitled an Act to restrict the herding of sheep, approved May eighteenth, eighteen hundred and sixty-one.

Also, passed Senate Bill No. 385—An Act in regard to Swamp Land District Number Eighteen.

Also, passed Senate Bill No. 480—An Act to authorize the Commissioners of the Funded Debt of the City of San Francisco to transfer certain funds and property to said city.

Also, passed Senate Bill No. 478—An Act supplementary to an Act entitled an Act to authorize the distribution of the Reports of the State Geological Survey, approved February second, eighteen hundred and seventy-two.

Also, passed Senate Bill No. 139—An Act to provide for the payment of principal and interest on California Indian War Bond Number Thirty-four.

Also, passed Senate Bill No. 269—An Act to provide for the location, construction, and maintenance of public roads in the County of Colusa.

Also, passed Senate Bill No. 508—An Act authorizing the Board of Supervisors of the County of Santa Clara to pay the County Clerk and Auditor of said county certain moneys therein mentioned.

Also, amended and passed Senate Bill No. 499—An Act to except certain counties from certain sections of an Act entitled an Act to put into effect certain parts of the Codes and provide for their publication, approved March twenty-second, eighteen hundred and seventy-two.

Also, adopted Resolution—Asking return of Senate Bill No. 126.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Substitute for Senate Bill No. 485, above reported, read first and second times, rules suspended, bill read a third time and passed.

Assembly Bill No. 779, above reported, read first and second times, rules suspended, bill read a third time and passed.

Assembly Bill No. 527, above reported, read first and second times and referred to the Committee on Claims.

Assembly Bill No. 625, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 767, above reported, read first and second times and referred to the San Francisco delegation.

Assembly Bill No. 732, above reported, read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 228, above reported, read first and second times and referred to the San Francisco delegation.

Senate Bill No. 499, above reported, Assembly amendments concurred in by the Senate.

Assembly Concurrent Resolution No. 31, above reported, read first and second times and referred to the Committee on State Prison.

Assembly Joint Resolution No. 7, above reported, read first and second times, and referred to the Committee on Claims.

RESOLUTION.

By Mr. Fowler:

Resolved, That J. M. Shannon, Assistant Sergeant at Arms of the Senate, be and is hereby allowed two dollars per day extra from the beginning of the term of the nineteenth session of the Legislature; and the Controller of State is hereby directed to draw his warrant on the Treasurer of State for the sum of two hundred and forty dollars, and the Treasurer of State is hereby directed to pay the same out of any funds belonging to the Contingent Fund of the Senate.

Referred to the Committee on Contingent Expenses.

SPECIAL FILE.

Assembly Bill No. 263—An Act to aid in providing a supply of pure fresh water from Lake Bigler (sometimes called Lake Tahoe) for the use of the inhabitants of the City and County of San Francisco.

Upon the third reading of the bill the ayes and noes were demanded by Messrs. Oulton, Wand, and Betge, and the Senate refused by the following vote:

AYES—Messrs. Banvard, Beck, Betge, Crane, Duffy, Finney, Hutchings, Kent, Maclay, McKusick, Minis, Neff, Pendegast, and Tompkins—14.

NOES—Messrs. Andross, Boucher, Comte, De Haven, Dyer, Evans, Farley, Fowler, Garratt, Goodale, Gwin, Irwin, Keys, Larkin, McCoy, McMurry, O'Connor, Oulton, Perkins, Tuttle, Wand, and Wing—22.

Assembly Bill No. 335—An Act to amend an Act approved March

twelfth, eighteen hundred and sixty-eight, entitled an Act to provide for the drainage of Sacramento City, etc.

Amended, read a third time and passed.

Assembly Bill No. 684—An Act providing for the survey of the line forming a portion of the southern boundary of Siskiyou County and the northern boundary of Lassen County.

Read a third time and passed.

Assembly Bill No. 730—An Act for the support of certain cemeteries in Tehama County.

Read a third time and passed.

Assembly Bill No. 207—An Act to amend an Act to establish a Paid Fire Department in the City of San Francisco.

Amendments adopted, bill read a third time and passed.

Senate Bill No. 498—An Act to authorize and direct the Clerk of the Supreme Court to make and keep general indexes.

Passed on file.

Assembly Bill No. 108—An Act to repeal an Act entitled an Act authorizing the condemnation of private property within the limits of the Laguna Survey, approved March twenty-fifth, eighteen hundred and seventy, and to provide for the payment of the expenses incurred under said Act.

Read a third time and passed.

Assembly Bill No. 615—An Act to open and establish a public street in the City and County of San Francisco, to be called Montgomery Avenue, and to take private lands therefor.

The bill was read a third time, and upon the passage of the bill the ayes and noes were demanded by Messrs. Larkin, McMurry, and Wand, and the Senate so ordered by the following vote:

Ayes—Messrs. Andross, Banvard, Beck, Betge, Boucher, Crane, Duffy, Dyer, Evans, Garratt, Gwin, Hutchings, Kent, Keys, Larkin, Mackay, McCoy, Minis, Neff, Pendegast, Turner, Van Ness, Wand, and Wing—24.

Noes—Messrs De Haven, Farley, Finney, Fowler, Goodale, Irwin, McMurry, O'Connor, Oulton, Perkins, Tompkins, and Tuttle—12.

Assembly Bill No. 520—An Act to legalize and confirm the election of Roadmasters in the respective road districts of Monterey County.

Report of the delegation, recommending that the bill do not pass, was adopted.

Assembly Bill No. 314—An Act to regulate fees of office of the Clerks of Santa Cruz County.

Report of the delegation, recommending that the bill do not pass, was adopted.

Assembly Bill No. 521—An Act to regulate and fix the salary of the Assessor of Monterey County.

Amendments adopted, bill read a third time and passed.

Assembly Bill No. 718—An Act to empower the Board of Supervisors of Klamath County to levy a special tax.

Read a third time and passed.

Senate Bill No. 484—An Act to legalize the deeds of lands in the Town of Santa Clara.

Report of the Judiciary Committee, recommending that the bill do not pass, was adopted.

Senate Bill No. 446—An Act to authorize Charles Lyndall to sell and convey real estate.

Report of the Judiciary Committee, recommending that the bill do not pass, was adopted.

Assembly Bill No. 71—An Act for the relief of P. A. Dorris.

Laid on the table.

Assembly Bill No. 41—An Act to legalize and confirm certain ordinances passed and contracts made by the Board of Supervisors of the City and County of San Francisco relative to the removal of dead animals from the city limits.

Laid on the table.

Assembly Bill No. 498—An Act to provide for interpreters for certain Courts in the City and County of San Francisco.

Report of the delegation, recommending that the bill do not pass, was adopted.

Senate Bill No. 192—An Act to legalize, confirm, and make valid certain contracts for street work in the City and County of San Francisco.

Mr. O'Connor moved to strike out the enacting clause of the bill, upon which the ayes and noes were demanded by Messrs. Evans, Wand, and Duffy, and the Senate refused by the following vote:

AYES—Messrs. Boucher, Finney, Fowler, Goodale, Irwin, McKusick, Neff, O'Connor, Oulton, Perkins, Tompkins, and Turner—12.

NOES—Messrs. Andross, Banvard, Betge, Boggs, Crane, Duffy, Dyer, Evans, Farley, Garratt, Gwin, Hutchings, Kent, Larkin, Maclay, McCoy, McMurry, Minis, Van Ness, Wand, and Wing—21.

Mr. Wand moved to suspend the rules for the purpose of considering the bill engrossed and placing it on its passage.

Upon which the ayes and noes were demanded by Messrs. Oulton, Finney, and O'Connor, and the Senate refused by the following vote:

AYES—Messrs. Andross, Banvard, Beck, Betge, Boggs, Crane, Duffy, Dyer, Evans, Fowler, Garratt, Gwin, Hutchings, Kent, Keys, Larkin, Maclay, McCoy, McMurry, Minis, Van Ness, Wand, and Wing—23.

NOES—Messrs. Boucher, Farley, Finney, Goodale, Irwin, McKusick, Neff, O'Connor, Oulton, Perkins, Tompkins, and Turner—12.

The bill was ordered engrossed.

Assembly Bill No. 224—An Act for the relief of A. F. Gray.

Substitute adopted, bill read a third time and passed.

Assembly Bill No. 676—An Act to authorize J. Bridger, guardian of the heirs of R. S. Carlisle, to sell real estate.

Indefinitely postponed.

Assembly Bill No. 386—An Act relating to outstanding Controller's warrants against Swamp Land District Number Seventeen.

Read a third time and passed.

At ten o'clock and fifteen minutes P. M., on motion of Mr. Larkin, the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Saturday, March 30th, 1872.

Senate met pursuant to adjournment.
President pro tem in the chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
The reading of the Journal of yesterday was dispensed with and considered approved.

MOTION.

On motion of Mr. Maclay, Assembly Bill No. 436—An Act to provide for the payment of certain Controller's warrants—was taken from the file and referred to the Committee on Swamp and Overflowed Lands.

REPORTS.

Mr. Fowler verbally reported Assembly Bill No. 772, and recommended its passage.
The rules were suspended, bill read a third time and passed.
Mr. Fowler verbally reported Senate Bill No. 510, and recommended its passage.
The rules were suspended, bill considered engrossed, read a third time and passed.
Mr. Pendegast verbally reported Senate Bill No. 721, and recommended that the same do not pass.

INTRODUCTION OF BILL.

Mr. Pendegast, from the Committee on Counties and County Boundaries, had leave to introduce the following bill—An Act concerning the Board of Supervisors.
Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

MOTION.

On motion of Mr. Irwin, Assembly Bill No. 59—An Act to fix the time for holding election for members of Congress, etc.—was taken from the file, amended, read a third time and passed.

RESOLUTION.

By Mr. Larkin:

Resolved, That the Controller of State be and is hereby directed to draw his warrant on the Treasurer of State for the sum of eighty-six dollars, for the payment of postage stamps; this said sum to be paid out of the Contingent Fund of the Senate.
Rules suspended and resolution adopted.

Mr. Minis verbally reported Assembly Bill No. 436, and recommended its passage.

Rules suspended, bill read a third time and passed.

By Mr. Perkins:

Mr. PRESIDENT: The Committee on Claims, to whom was referred Assembly Joint Resolution No. 7—Relative to granting bounty to the First Battalion of Mountaineers, California Volunteers—have had the same under consideration, and respectfully report the same back and recommend its passage.

Also, have considered Assembly Bill No. 527—An Act for the relief of Thomas N. Long—and respectfully report the same back and recommend its passage.

PERKINS, Chairman.

By Mr. Van Ness:

Mr. PRESIDENT: The Committee on Federal Relations have had under consideration Senate Bill Nos 422—An Act to create and establish a State Botanical and Zoological Farm, for the experimental culture of all desirable plants of foreign or indigenous growth available for economical purposes, for the cultivation of knowledge in zoology, and for the foundation of a public thermal sanitarium for the cure of chronic maladies—and report the same back. This bill undertakes, in the event of the passage of a bill introduced in the Senate of the United States by Senator Morrill, providing for the donation to each State having an Agricultural College of one million acres of land, to provide for the expenditure of the funds arising from the sale of any lands thus donated to this State in establishing collegiate farms with botanical gardens for experimental and sanitary purposes in this State or in different portions of the State.

With the general objects of this bill, the committee are in sympathy, but in view of the uncertainty of the passage of the bill introduced by Senator Morrill, and the present session of the Legislature being about to close, the committee deem that any legislation upon the subject would be premature and the subject could not receive the consideration its importance demands, and therefore recommend that the bill do not pass. Your committee, feeling impressed with the grave importance of the subject matter, however, recommend the adoption of the accompanying resolution.

VAN NESS, Chairman.

Resolved by the Senate, the Assembly concurring, That our Representatives be requested and our Senators be instructed to advocate and urge the passage of the bill introduced by Senator Morrill, in the Senate of the United States, providing for the donation of one million acres of public land to each State as have established Agricultural Colleges: and that his Excellency be requested to transmit to our Representatives and Senators in Congress a copy of this resolution.

Adopted.

Mr. Minis verbally reported Assembly Bill No. 605, without recommendation.

By Mr. Hutchings:

Mr. PRESIDENT: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 344—An Act to provide further accommodation for the insane of the State of California, and to provide a special Fund therefor.

Also, Senate Bill No. 458—An Act to provide for the introduction of good and pure water into the Town of San Luis Obispo.

And have presented the same to the Governor for his signature this day, at ten o'clock and thirty minutes A. M.

HUTCHINGS.

Mr. PRESIDENT: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 500—An Act appropriating fifty-six thousand dollars in United States legal tender notes for the payment of the necessary incidental expenses of the State Capitol and the Governor's Mansion.

Also, Senate Bill No. 406—An Act to extend an Act entitled an Act concerning District Court Reporters, approved March thirteenth, eighteen hundred and sixty-six, to the Nineteenth Judicial District of the State of California.

Also, Senate Bill No. 300—An Act to legalize certain proceedings of the Board of Supervisors of Yolo County.

Also, Senate Bill No. 496—An Act authorizing the Board of Supervisors of the County of Santa Clara to pay the Sheriff of said county certain moneys therein mentioned.

Also, Senate Bill No. 479—An Act concerning the District Tax Collector of Placer County.

Also, Senate Bill No. 476—An Act to authorize the Board of Trustees of the Town of Suisun City to grade and improve the streets and alleys of said town.

Also, Senate Bill No. 493—An Act in relation to the Political Code.

And have presented the same to the Governor for his signature this day, at eight o'clock and forty-five minutes P. M.

HUTCHINGS.

Mr. PRESIDENT: Your Committee on Enrollment have examined and find correctly enrolled Senate Bill No. 494—An Act entitled an Act in relation to the fees of District Attorneys in certain counties.

Also, Senate Bill No. 393—An Act to authorize the Board of Supervisors of San Joaquin County to appropriate money for the use of the San Joaquin Valley Agricultural Society.

Also, Senate Bill No. 242—An Act to create the office and define the duties of the State Board of Forest Commissioners, and to encourage the culture of forest and timber trees.

Also, Senate Bill No. 417—An Act to repeal an Act granting certain powers to the Board of Supervisors of the City and County of San Francisco.

Also, Senate Bill No. 260—An Act to facilitate and increase the col-

lection of State, county, and municipal licenses in the City and County of San Francisco.

Also, Senate Bill No. 437—An Act concerning persons under sentence of imprisonment in the County Jail in the County of Napa.

Also, Senate Joint Resolution No. 8—Requesting Congress to increase the mail facilities in the Counties of Colusa and Tehama.

Also, Senate Concurrent Resolution No. 49—Relative to distribution of Report of Commissioner in Lunacy.

And have presented the same to the Governor this day, at eleven o'clock A. M.

HUTCHINGS.

Mr. PRESIDENT: Your Committee on Enrollment have examined and find correctly enrolled Senate Bill No. 200—An Act concerning trespasses on lands in the Counties of Santa Barbara and San Luis Obispo—and have presented the same to the Governor this day, at two o'clock and thirty minutes P. M.

HUTCHINGS.

By Mr. Goodale:

Mr. PRESIDENT: Your Committee on Enrollment respectfully report that they have examined and find correctly enrolled Senate Bill No. 470—An Act concerning roads and highways in Contra Costa County—and have presented the same to the Governor for his signature this day, at ten o'clock and forty minutes A. M.

GOODALE, for Committee.

By Mr. Wand:

Mr. PRESIDENT: The San Francisco delegation have had the following bills under consideration and report them back as follows:

Substitute for Assembly Bill No. 228—An Act to provide for the payment of damages caused by changing the grade of Second street, in the City and County of San Francisco—amended and passage recommended as amended.

Also, Assembly Bill No. 767—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco—passage recommended.

Also, Assembly Bill No. 686—An Act concerning the office of Sheriff of the City and County of San Francisco—passage recommended.

WAND, for Delegation.

On motion of Mr. Wand, the rules were suspended for the consideration of Asssembly Bill No. 228, above reported.

The bill was considered in Committee of the Whole and amended.

IN SENATE.

Amendments made in Committee of the Whole concurred in by the Senate.

Mr. Duffy offered the following amendment:

Amend by inserting "That the subject matter of the payment of these damages be left to the determination of the qualified voters of the city at the next general election."

Upon the adoption of the amendment, the ayes and noes were demanded

by Messrs. Duffy, O'Connor, and De Haven, and the Senate refused by the following vote:

AYES—Messrs. Botge, Boucher, Duffy, Fowler, Kent, McMurry, Neff, O'Connor, and Oulton—9.

NOES—Messrs. Andross, Beck, Comte, Dyer, Evans, Farley, Finney, Garratt, Goodale, Gwin, Hutchings, Keys, Maclay, McKusick, Minis, Perkins, Tompkins, Turner, Tuttle, Wand, Wilson, and Wing—22.

The bill was read a third time and passed.

By Mr. Beck:

Mr. PRESIDENT: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 481—An Act to provide for the incorporation of tramroad companies in the County of Shasta.

Also, Senate Bill No. 485—An Act to authorize the Board of Supervisors of El Dorado County to levy a special tax, and for other purposes.

Also, Senate Bill No. 448—An Act for the relief of J. J. Conlin.

And have presented the same to the Governor for his signature this day, at eleven o'clock A. M.

BECK, for Committee.

Mr. PRESIDENT: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 139—An Act to provide for the payment of the principal and interest on California Indian War Bond Number Four—and have presented the same to the Governor for his signature this day, at eleven o'clock and thirty minutes A. M.

BECK, for Committee.

By Mr. Neff:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 192—An Act to legalize, confirm, and make valid certain contracts for street work in the City and County of San Francisco, and all proceedings of the Board of Supervisors of said city and county relating to the same.

NEFF, for Committee.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 512—An Act concerning the Board of Supervisors of Sutter County.

TUTTLE, for Committee.

GENERAL FILE.

Assembly Bill No. 343—An Act to define the Senatorial and Assembly districts of this State.

Made the special order for this afternoon at half-past two o'clock.

At one o'clock P. M., the Senate took a recess until two o'clock P. M.

REASSEMBLED.

Senate reassembled at two o'clock P. M.
President pro tem in the chair.
Roll called.
Quorum present.
Mr. Banvard verbally reported Assembly Bill No. 769, and recommended its passage.

INTRODUCTION OF BILL.

Mr. Banvard had leave to introduce the following bill:
An Act to appropriate moneys for the purpose of constructing buildings at the State University.
Read first and second times and made the special order immediately after the consideration of Assembly Bill No. 769.

SPECIAL ORDER.

Assembly Bill No. 769—An Act to make appropriations for the support of the civil government of the State of California for the twenty-fourth and twenty-fifth fiscal years.
Considered in Committee of the Whole and amended.

IN SENATE.

Upon the adoption of the amendment made in Committee of the Whole striking out "three hundred thousand dollars for the State University," the ayes and noes were demanded by Messrs. Tompkins, Finney, and Tuttle, and the Senate refused by the following vote:

AYES—Messrs. Andross, Banvard, Crane, De Haven, Duffy, Dyer, Fowler, Garratt, Gwin, Irwin, Larkin, McKusick, McMurry, Minis, Neff, O'Connor, Tuttle, Wilson, and Wing—19.
NOES—Messrs. Beck, Boggs, Boucher, Comte, Farley, Finney, Goodale, Hutchings, Kent, Keys, Maclay, McCoy, Oulton, Pendegast, Perkins, Tompkins, Turner, Van Ness, and Wand—19.

Mr. Tuttle moved to amend the bill by adding "Nine hundred thousand dollars for common schools."
Upon the adoption of the amendment, the ayes and noes were demanded by Messrs. Tuttle, O'Connor, and Banvard, and the Senate refused by the following vote:

AYES—Messrs. Andross, Beck, Duffy, Farley, Hutchings, Larkin, McMurry, Neff, O'Connor, and Tuttle—10.
NOES—Messrs. Banvard, Betge, Boucher, Comte, Crane, De Haven, Dyer, Finney, Fowler, Garratt, Goodale, Gwin, Irwin, Kent, Keys, Maclay, McCoy, McKusick, Minis, Oulton, Pendegast, Perkins, Tompkins, Turner, Van Ness, Wilson, and Wing—26.

The amendments made in Committee of the Whole concurred in by the Senate.
Bill read a third time and passed.

SPECIAL ORDER.

Senate Bill No. 513—An Act to appropriate moneys for the purpose of constructing buildings at the State University.

Indefinitely postponed.

Assembly Bill No. 478—An Act to provide for the establishment of a Cabinet Department in the State Library.

Read a third time and passed.

Assembly Bill No. 603—An Act to release the claim of the State of California to certain lands in township eleven north, range four east, Mount Diablo base and meridian.

Read a third time and passed.

INTRODUCTION OF BILL.

Mr. Pendegast had leave to introduce the following bill:

An Act to amend and in relation to the Political, Civil, and Penal Codes, and the Code of Civil Procedure.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed, and ordered transmitted to the Assembly without engrossment.

MOTION.

Mr. Larkin moved to take from the table Assembly Bill No. 450.

Upon which the ayes and noes were demanded by Messrs. Larkin, Fowler, and Irwin, and the Senate refused by the following vote:

AYES—Messrs. Boucher, Crane, Evans, Farley, Goodale, Irwin, Larkin, McKusick, O'Connor, and Tuttle—10.

NOES—Messrs. Andross, Betge, Boggs, Comte, Duffy, Dyer, Finney, Garratt, Hutchings, Kent, Keys, McCoy, Pendegast, Tompkins, Turner, Van Ness, Wand, and Wing—18.

The President of the Senate announced the appointment of the following committee of conference on the part of the Senate upon the disagreeing vote of the two Houses on Senate Bill No. 361—An Act to provide a system of common schools: Messrs. Larkin, Irwin, and Goodale.

RESOLUTION.

WHEREAS, An honorable member of this body, Gen. Geo. S. Evans, has been made the subject of unjustifiable and malicious attack, in the Criminal Court of Sacramento City, by a person who has been either willfully misled by designing and wicked men, or who has sought the opportunity to blacken reputation for the sole purpose of pecuniary gain; and whereas, after a full examination of the circumstances in connection with this false charge, the same was dismissed by the Judge of the Court as unworthy of consideration and as having been founded on malice and without any other cause whatever; and whereas, in view of the fact that this honorable Senator has been selected from his peers by bad men to be the object of their venom and malice, be it

Resolved by the Senate of the State of California, That we have undiminished confidence in the integrity of Gen. Geo. S. Evans, Senator from the County of San Joaquin, and in conjunction with all good citizens

congratulate him upon his complete triumph over his unscrupulous and malicious enemies.

Resolved, That the President of the Senate cause a copy of this preamble and resolution to be engrossed, signed by the presiding officer and Secretary, and be presented to Gen. Evans.

Adopted.

GENERAL FILE RESUMED.

Senate resumed consideration of Assembly Bill No. 343—An Act to define the Senatorial and Assembly Districts of this State.

The bill was further considered in the Committee of the Whole, and pending the consideration thereof the hour for adjournment arrived, and the adjournment was temporarily postponed for the purpose of taking up Assembly messages.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
March 30th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this thirtieth day of March, adopted a resolution as follows:

Resolved, That the Senate be requested to return immediately to this House Assembly Bill No. 212, passed that body on the twenty-eighth day of March, eighteen hundred and seventy-two.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 30th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this thirtieth day of March, adopted a resolution as follows:

Resolved, That the Senate be requested to immediately return to the Assembly Assembly Bill No. 112, in order that the Assembly may concur in Senate amendments.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 30th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this thirtieth day of March, refused to concur in Senate amendments to substitute for Assembly Bill No. 212—An Act to amend an Act approved March thirty-first, eighteen hundred and seventy, entitled An Act supplementary to and amendatory of an Act entitled an Act to authorize the Board of Supervisors of the several counties of this State to grant the right to construct wharves on the overflowed and submerged lands of this State, approved April eighth, eighteen hundred and fifty-eight.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 30th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-ninth day of March, passed Assembly Bill No. 556—An Act to better define the boundary line between Fresno and Mariposa Counties.

I am also directed to inform your honorable body that the Assembly refuses to recede from its substitute for Senate Bill No. 361—An Act to provide a system of common schools—and ask that a committee of conference be appointed.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 30th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this thirtieth day of March, refused to concur in certain amendments to Assembly Bill No. 769—An Act to make appropriations for the support of the civil government of the State of California for the twenty-fourth and twenty-fifth fiscal years.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Assembly Bill No. 769, above reported, the Senate refused to recede from their amendments, and on motion of Mr. Finney, the President appointed a committee of conference on the disagreeing vote of the two houses on Assembly Bill No. 769, as follows: Messrs. Banvard, Wilson, and Gwin.

At five o'clock and ten minutes P. M., the Senate took a recess until seven o'clock and thirty minutes this evening.

EVENING SESSION.

Senate reassembled at seven o'clock and thirty minutes P. M.

President pro tem in the chair.

Roll called.

Quorum present.

REPORTS.

Mr. Wand verbally reported Assembly Concurrent Resolution No. 31—Recommending pardon of certain criminals—and recommended its adoption.

The rules were suspended and resolution adopted.

By Mr. McMurry:

Mr. PRESIDENT: Your Committee on Enrollment respectfully report that they have examined and find correctly enrolled Senate Bill No. 259—An Act to confer additional powers on the Board of Supervisors of the City and County of San Francisco and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board.

Also, Senate Bill No. 445—An Act to protect fish in the waters of Sierra and Plumas Counties.

Also, Senate Bill No. 487—An Act to enable the City and County of San Francisco to conform to so much of the Political Code as relates to the public revenue.

Also, Senate Bill No. 389—An Act to amend an Act entitled an Act to authorize the Board of Supervisors of Santa Barbara County to build a Court House and Jail in said county, to issue bonds of said county for the construction thereof; and to provide payment for the same, approved February second, eighteen hundred and seventy-two.

Also, Senate Bill No. 379—An Act to authorize Margaret McDaniel, administratrix of the estate of Thomas McDaniel deceased, to borrow money to pay the debts of the estate.

Also, Senate Bill No. 490—An Act to regulate the salary of the District Judge of the Sixteenth Judicial District.

Also, Senate Bill No. 449—An Act concerning the office of Sheriff of Humboldt County.

Also, Senate Bill No. 410—An Act to provide for Public Administrators in certain cases.

Also, Senate Bill No. 497—An Act to authorize the construction and maintenance of a public bridge across Napa River at Napa City.

Also, Senate Bill No. 420—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties, approved April twenty-fifth, eighteen hundred and seventy-two.

And have presented the same to the Governor this day, at eleven o'clock A. M.

McMURRY, for Committee.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
March 30th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this thirtieth day of March, passed Assembly Bill No. 755—An Act to provide for the payment of interest on Trustees' orders against swamp land districts.

Also, passed Assembly Bill No. 778—An Act to provide for the protection of certain lands in Colusa County.

Also, adopted and passed substitute for Senate substitute for Assembly Bill No. 481—An Act to establish a Paid Fire Department in the City of Sacramento.

Also, passed Senate Bill No. 51—An Act to compensate J. G. Jenkins for legal services rendered the State during the years eighteen hundred and sixty-eight and eighteen hundred and seventy.

Also, passed Senate Bill No. 398—An Act to provide for the payment of legal services rendered the State by Samuel Cross.

Also, passed Assembly Bill No. 770—An Act to provide for the appointment of a Deputy Sheriff in the County of Alameda.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 30th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-ninth day of March, passed Assembly Bill No. 690—An Act in relation to County Judges.

Also, on the same day, passed Assembly Bill No. 758—An Act investing the widow with the ownership and management of the common property on the decease of her husband.

Also, on this thirtieth day of March, passed Assembly Bill No. 777—An Act to regulate the expenditures of the Road Fund of Solano County

Also, amended and passed Senate Bill No. 507—An Act to more clearly define the boundary line between the Counties of Lake and Yolo, in the State of California.

Also, adopted Assembly Concurrent Resolution No. 37—Relative to paying John Breuner two hundred and eighty-four dollars for chairs, etc.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 30th, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this thirtieth day of March, passed Assembly Bill No. 782—An Act to settle and pay the claim of D. W. Gelwicks, for printing and binding the catalogues for the use of the State Library.

Also, passed Assembly Bill No. 783—An Act to amend section three thousand seven hundred and thirteen of the Political Code of the State of California.

Also, passed Senate Bill No. 429—An Act to amend an Act entitled an Act to grant Guillermo Carrillo and his assigns the right to supply the inhabitants of the Town of Santa Barbara with fresh water.

Also, passed Senate Bill No. 502—An Act making appropriation for deficiencies in the appropriation made for the twenty-second and twenty-third fiscal years.

Also, passed Senate Bill No. 503—An Act to appropriate funds for the relief of the several Orphan Asylums of the State.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 770, above reported, read first and second times and referred to the Alameda delegation.

Senate Bill No. 507, above reported, Assembly amendments concurred in by the Senate.

Assembly Bill No. 777, above reported, read first and second times and referred to the Solano delegation.

Assembly Bills Nos. 758, 690, and 783, above reported, were severally read first and second times and referred to the Judiciary Committee.

Assembly Bill No. 782, above reported, read first and second times, rules suspended, bill read a third time and passed.

Assembly Bill No. 556, above reported, read first and second times, rules suspended, bill read a third time and passed.

Assembly Bills Nos. 778 and 755, above reported, were severally read first and second times and referred to the Committee on Swamp and Overflowed Lands.

Assembly substitute for Senate substitute to Assembly Bill No. 481, above reported, adopted, read a third time and passed.

Assembly Concurrent Resolution No. 37, above reported, referred to the Committee on Contingent Expenses.

SUSPENSION OF THE RULES.

On motion of Mr. Crane, the rules were suspended, and Assembly Bill No. 461—An Act granting certain lands and buildings, known as the State Reform School property, to the City of Marysville—was taken from the file, read a third time and passed.

On motion of Mr. McCoy, the rules were suspended and Assembly Joint Resolution No. 20—Relative to fortifications in San Diego Harbor—was taken from the file, read a third time and adopted.

On motion of Mr. Duffy, the rules were suspended and Senate Bill No. 70—An Act to provide additional grounds for the State Capitol building, in the City of Sacramento—was taken from the file for consideration.

Mr. Duffy moved to suspend the rules for the purpose of considering the bill engrossed.

Upon which the ayes and noes were demanded by Messrs. Larkin, Fowler, and Duffy, and the Senate refused by the following vote:

AYES—Messrs. Banvard, Betge, Boggs, Comte, De Haven, Duffy, Dyer, Evans, Garratt, Gwin, Hutchings, Maclay, Minis, Neff, Oulton, Perkins, Tompkins, and Van Ness—18.

NOES—Messrs. Boucher, Crane, Farley, Finney, Fowler, Goodale, Irwin, Keys, Larkin, McCoy, McKusick, McMurry, O'Connor, Pendegast, Turner, Tuttle, Wand, Wilson, and Wing—19.

Mr. O'Connor moved to strike out the enacting clause of the bill.

Upon which the ayes and noes were demanded by Messrs. Larkin, O'Connor, and Fowler, and the Senate refused by the following vote:

AYES—Messrs. Boucher, Crane, Farley, Finney, Fowler, Goodale, Irwin, Keys, Larkin, McCoy, McKusick, McMurry, Neff, O'Connor, Turner, Tuttle, Wilson, and Wing—18.

NOES—Messrs. Banvard, Betge, Boggs, Comte, De Haven, Duffy, Dyer, Evans, Garratt, Gwin, Hutchings, Maclay, Minis, Oulton, Pendegast, Perkins, Tompkins, and Van Ness—18.

Upon ordering the bill engrossed, the ayes and noes were demanded by Messrs. Comte, Fowler, and Evans, and the Senate so ordered by the following vote:

AYES—Messrs. Andross, Banvard, Betge, Boggs, Comte, De Haven, Duffy, Dyer, Evans, Finney, Garratt, Gwin, Hutchings, Kent, Maclay, Neff, Oulton, Pendegast, Perkins, Tompkins, and Van Ness—21.

NOES—Messrs. Boucher, Crane, Farley, Fowler, Goodale, Irwin, Keys, Larkin, McCoy, McKusick, McMurry, O'Connor, Turner, Tuttle, Wilson, and Wing—16.

Mr. Keys moved to suspend the rules for the consideration of Assembly Bill No. 76—An Act to provide for the payment of the State's portion of the salary of the County Auditor of Mariposa County.

So ordered, amendment reported by the Committee on Claims adopted, bill read a third time and passed.

On motion of Mr. Maclay, the rules were suspended for the consideration of Senate Bill No. 299—An Act to fund the Indian war indebtedness of the State.

Amendments adopted, rules suspended, bill considered engrossed, read a third time and passed.

On motion of Mr. McKusick, the rules were suspended for the consideration of Senate Bill No. 35—Proposed amendment to the Constitution.

AMENDMENTS TO THE CONSTITUTION PROPOSED AT THE NINETEENTH SESSION OF THE LEGISLATURE.

The Legislature of the State of California, at its nineteenth session, commencing the fourth day of December, A. D. one thousand eight hundred and seventy-one, proposes the following amendments to section twenty-six of Article Four of the Constitution:

ARTICLE FOUR, Sec. 26. The Legislature shall not pass special or local laws in any of the following enumerated cases, that is to say: For granting divorces, changing the names of persons, companies, or corporations; for laying out, establishing, or opening roads, streets, or alleys; for vacating roads, streets, or alleys, or public squares; providing for summoning, selecting, or impaneling grand or trial jurors; regulating county business; granting the right to maintain a ferry; granting the right to construct or maintain a bridge, except across waters that have been declared navigable; granting the right to use or occupy, for a railroad or other purposes, a street, square, or alley in any city or town. In all cases enumerated in this section, laws shall be general and have a uniform operation throughout the State.

The bill was read a first and second times, rules suspended, bill considered engrossed, read a third time and passed by the following vote:

AYES—Messrs. Andross, Banvard, Beck, Betge, Boggs, Boucher, Comte, Crane, Dyer, Evans, Farley, Finney, Garratt, Goodale, Gwin, Kent, Maclay, McKusick, Minis, Neff, O'Connor, Oulton, Pendegast, Perkins, Tompkins, Turner, Van Ness, Wand, Wilson, and Wing—30.

NOES—Messrs. De Haven, Fowler, Hutchings, Irwin, and Tuttle—5.

Senate Bill No. 62—Proposed amendment to section second of Article Fourth of the Constitution of the State of California.

The Senate and Assembly of the State of California, at the nineteenth session of the Legislature thereof, do propose the following amendment to the Constitution of the State:

Section second of Article Fourth is amended so as to read as follows:

The sessions of the Legislature shall be biennial, and shall commence on the second Monday of January next ensuing the election of its members, unless the Governor of the State shall in the interim convene the Legislature by proclamation. No session shall continue longer than ninety days.

The rules were suspended, bill considered engrossed, and read a third time, and passed by the following vote:

Ayes—Messrs. Andross, Banvard, Beck, Betge, Boggs, Boucher, Comte, Crane, De Haven, Duffy, Dyer, Evans, Farley, Finney, Fowler, Goodale, Gwin, Irwin, Kent, Larkin, Maclay, McCoy, McKusick, McMurry, Minis, Neff, O'Connor, Oulton, Pendegast, Perkins, Tompkins, Tuttle, Van Ness, Wand, and Wing—35.

No—Mr. Turner—1.

INTRODUCTION OF BILL.

Mr. Evans had leave to introduce the following bill:

Proposed amendment to the Constitution of the State of California.

The Senate and Assembly of the State of California, at the nineteenth session of the Legislature thereof, commencing on the fourth of December, eighteen hundred and seventy one, do propose the following amendment to the Constitution of the State:

Section twenty one of Article Eleventh of the Constitution is hereby amended so as to read as follows:

Section Twenty one. All laws, decrees, regulations, and provisions which from their nature require publication shall be published in such manner as the Legislature may direct.

Mr. Pendegast moved to take up and consider Assembly Bill No. 343—An Act to define the Senatorial and Assembly Districts of this State.

The President pro tem decided that in order to take up the bill it would require a two thirds vote of the Senate.

Mr. Pendegast appealed from the decision of the Chair.

Upon the question, "Shall the decision of the Chair stand as the judgment of the Senate?" the ayes and noes were demanded by Messrs. Evans, Larkin, and O'Connor, and the Senate so ordered by the following vote:

Ayes—Messrs. Boggs, Boucher, Crane, De Haven, Evans, Fowler, Goodale, Gwin, Irwin, Larkin, McCoy, McKusick, McMurry, Minis, Neff, O'Connor, Perkins, Tuttle, and Wilson—19.

Noes—Messrs. Andross, Banvard, Beck, Betge, Comte, Duffy, Finney, Garratt, Kent, Keys, Maclay, Oulton, Tompkins, Turner, Van Ness, Wand, and Wing—17.

SPECIAL FILE.

Senate Bill No. 192—An Act to legalize, confirm, and make valid certain contracts for street work in San Francisco.

Read a third time and passed.

Assembly Bill No 546—An Act to amend an Act restricting the herding of sheep to certain pastures in the Counties of Sonoma and Marin.

Read a third time and passed.

Senate Bill No. 466—An Act concerning the office of District Attorney of Sacramento County.

Read a third time and passed.

Assembly Bill No. 105—An Act to regulate the wharfage and dockage and abolish tolls in the Harbor of San Francisco.

Indefinitely postponed.

Assembly Bill No. 659—An Act supplementary to an Act to protect agriculture, etc.

Read a third time and passed.

Assembly Bill No. 565—An Act for the better protection of the lands in Swamp Land District Number Two, Sacramento County.

Read a third time and passed.

Assembly Bill No 553—An Act for the encouragement of irrigation.

The bill was read a third time, and upon the passage of the bill the ayes and noes were demanded by Messrs. Keys, Maclay, and McKusick, and the Senate so ordered by the following vote:

AYES—Messrs. Andross, Banvard, Beck, Betge, Boggs, Crane, Finney, Fowler, Kent, Maclay, McCoy, Minis, Neff, Turner, Van Ness, Wand, and Wing—17.

NOES—Messrs. Comte, De Haven, Evans, Goodale, Irwin, Keys, McKusick, O'Connor, Oulton, and Pendegast—10.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
March 30th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this thirtieth day of March, passed Assembly Bill No. 781—An Act entitled an Act for the relief and protection of the agricultural interests of El Dorado County, being amendatory of an Act to authorize the incorporation of canal companies and to provide for the construction of canals and ditches, approved April second, eighteen hundred and seventy.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 30th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this thirtieth day of March, passed Senate Bill No. 390—An Act in relation to the State Printer.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 30th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this thirtieth day of March, adopted Assembly Concurrent Resolution No. 38—Relative to correction of clerical error in Assembly Bill No. 615—and respectfully ask the concurrence of the Senate.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
March 30th, 1872.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this thirtieth day of March, adopted Assembly Concurrent Resolution No. 39—Relative to requesting the Governor to return Assem-

bly Bill No. 762, and authorizing the Enrolling Clerk of the Assembly to make a correction in said bill.

The Speaker has apointed Messrs. Wheaton, Mott of Sacramento, and Stillwagon as committee of conference on the disagreeing vote of the two houses on Assembly Bill No. 769—An Act to make appropriations for the support of the civil government of the State of California for the twenty-fourth and twenty-fifth fiscal years.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Assembly Bill No. 781, above reported, read first and second times and ordered at the head of the General File for Monday next.

Assembly Concurrent Resolution No. 38, above reported, adopted.

Assembly Concurrent Resolution No. 39, above reported, adopted.

REPORT.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Engrossment have examined and find correctly engrossed Senate Bill No. 70—An Act to provide additional grounds for the State Capitol building, in the City of Sacramento.

At ten o'clock and eight minutes P. M., on motion of Mr. Larkin the Senate adjourned.

J. T. FARLEY,
President pro tem.

R. FERRAL, Secretary.

IN SENATE.

SENATE CHAMBER,
Monday, April 1st, 1872.

Senate met pursuant to adjournment.

President pro tem in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

The reading of the Journal of Saturday was dispensed with and considered approved.

MOTIONS.

On motion of Mr. McKusick, the rules were suspended for the consideration of Assembly Bill No. 781—An Act entitled an Act for the relief of the agricultural interests of El Dorado County.

The bill was amended, read a third time and passed.

On motion of Mr. Evans, the rules were suspended for the consideration of Assembly Bill No. 567—An Act to authorize the inhabitants of Mormon Slough to apply for a reclamation district.

The bill was amended, read a third time and passed.

REPORTS.

Reports were made as follows:

By Mr. Banvard:

Mr. PRESIDENT: Your committee of conference on disagreement of Senate and Assembly on the amendments to Assembly Bill No. 769, recommend that the Senate recede from its amendment in relation to the Prison Commission and the modification of the amendment to the San Francisco Lying-in and Foundling Hospital, so as to read "seven thousand two hundred dollars," instead of "five thousand dollars."

BANVARD,
WILSON,
GWIN,
Senate Committee.

WHEATON,
STILLWAGON,
E. B. MOTT,
Assembly Committee.

On motion of Mr. Tuttle the rules were suspended for the consideration of Assembly Bill No. 416—AN Act to authorize the Board of Education of the City and County of San Francisco to allow the Auditor of said city and county to audit and the Treasurer of said city and county to pay certain mechanics for labor performed and for material furnished for the erection of certain school houses in said city and county.

Read a third time and passed.

Mr. Neff verbally reported Senate Bill No. 229, and recommended that it do not pass.

Mr. Tompkins verbally reported Assembly Bill No. 783, with amendments, and recommended its passage.

The rules were suspended, amendments adopted, bill read a third time and passed.

Assembly Bill No. 667—An Act supplementary to an Act entitled an Act supplementary to an Act entitled an Act to establish the Industrial School Department of the City and County of San Francisco, approved April fifteenth, eighteen hundred and fifty-eight, approved February fifteenth, eighteen hundred and sixty-four.

Read a third time and passed.

Assembly Bill No. 658—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twentieth, eighteen hundred and sixty-eight.

Read a third time and passed.

Mr. PRESIDENT: Your committee of conference on the disagreeing vote of the Senate and Assembly in relation to Senate Bill No. 361—An Act to provide a system of common schools, and the Assembly substitute for the same—have met with the committee of the Assembly on the same subject, and acting jointly, we have mutually agreed to submit the following recommendations to our respective bodies:

First—That the substitute be amended in section six as per amendment attached to bill.

Second—That the substitute, as amended, be adopted by both houses.

Adopted.

The Assembly substitute was concurred in by the Senate, bill read a third time and passed

By Mr. Tompkins:

Mr. PRESIDENT: The Committee on Judiciary have had under consideration the following bills, and report the same back and recommend that they do not pass:

Senate Bill No. 362—An Act to establish and protect public trails and footways in this State.

Senate Bill No. 78—An Act concerning the Board of Supervisors of the County of Sacramento.

Senate Bill No. 96—An Act to provide for the government of the City of San Diego.

Senate Bill No. 138—An Act to provide for the collection of delinquent school taxes in Colusa School District, in the County of Colusa.

Senate Bill No. 243—An Act to amend an Act entitled an Act concerning the revenue of the State, approved March twenty fifth, eighteen hundred and seventy.

Senate Bill No. 224—An Act to amend an Act entitled an Act to authorize the County Judges and Probate Judges of this State to hold terms, or parts of terms, of the County Court and Probate Court in counties other than those for which they were respectively elected, approved March thirteenth, eighteen hundred and sixty eight.

Senate Bill No. 246—An Act to amend an Act entitled an Act to regulate fees and salaries of officers, and defining their duties, in the County of El Dorado, and other matters relating thereto, approved March fifth, eighteen hundred and seventy.

Senate Bill No. 262—An Act concerning certain crimes and punishments.

Senate Bill No. 278—An Act to amend an Act to define the duties and liabilities of pawnbrokers and pledgees, approved April seventeenth, eighteen hundred and sixty one, and for the management of the affairs thereof.

Senate Bill No. 293—An Act to provide a Supreme Court room and apartments for the officers of the Supreme Court.

Senate Bill No. 306—An Act in relation to police officers.

Senate Bill No. 409—An Act supplementary to an Act concerning public ferries and toll bridges, approved April fifteenth, eighteen hundred fifty-five.

Assembly Bill No. 200—An Act defining the duties of the State Board of Equalization and other revenue officers.

Assembly substitute for Assembly Bill No. 118—An Act to amend an Act entitled an Act to provide for the appointment and prescribe the duties of guardians, approved April nineteenth, eighteen hundred and fifty.

Assembly Bill No. 253—An Act to amend an Act entitled an Act to incorporate the Town of Watsonville, Santa Cruz County, California, approved March thirtieth, eighteen hundred and sixty-eight.

Assembly Bill No. 632—An Act to authorize the inhabitants on Cala-

veras River and vicinity, in San Joaquin County, to form a reclamation district and levy taxes therein.

Senate Bill No. 190—Proposed amendment to the Constitution.

Assembly substitute for Assembly Bill No. 732—An Act to amend sections two thousand three hundred and one, two thousand three hundred and two, and two thousand three hundred and three of the Political Code.

Also, report back without recommendation, Assembly Bill No. 669—An Act to legalize certain acknowledgments.

Also, have had under consideration Assembly Bill No. 179—An Act concerning unlawful holding over of dwelling houses, tenement houses, shops, stores, and land leased therewith.

Also, Assembly Bill No. 625—An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April, eighteen hundred and fifty-one.

And report the same back and recommend their passage.

Also, have had under consideration Assembly Bill No. 758—An Act investing the widow with the ownership and management of the common property on the decease of her husband.

Also, Assembly Bill No. 690—An Act in relation to County Judges.

And report the same back and recommend that they do not pass.

Also, Assembly Bill No. 783—An Act to amend section three thousand seven hundred and thirteen of the Political Code of the State of California.

And report the same back with an amendment, and recommend the adoption of the amendment and the passage of the bill as amended.

TOMPKINS, Chairman.

The rules were suspended and Assembly Bill No. 783, above reported, was read a third time and passed.

Mr. Banvard moved to suspend the rules for the consideration of Senate Bill No. 70—An Act to provide additional grounds for the State Capitol.

Upon the motion, the ayes and noes were demanded by Messrs. O'Connor, Duffy, and Banvard, and the Senate refused by the following vote:

AYES—Messrs. Banvard, Beck, Betge, Boggs, Comte, De Haven, Duffy, Dyer, Evans, Garratt, Hutchings, Kent, Maclay, McCoy, Minis, Neff, Oulton, Pendegast, Perkins, Tompkins, and Van Ness—21.

NOES—Messrs. Andross, Boucher, Crane, Farley, Fowler, Goodale, Gwin, Irwin, Larkin, O'Connor, Turner, Wand, Wilson, and Wing—14.

RESOLUTION.

The following resolution was offered by Mr. Betge:

Resolved by the Senate, the Assembly concurring, That Joint Rule No. 15 be and the same is hereby repealed.

Upon the suspension of the rules for the consideration of the resolution, the ayes and noes were demanded by Messrs. Larkin, Minis, and O'Connor, and the Senate so ordered by the following vote:

Ayes—Messrs. Andross, Banvard, Beck, Betge, Boggs, Comte, Crane, Duffy, Dyer, Evans, Farley, Garratt, Goodale, Gwin, Hutchings, Irwin, Kent, Keys, Maclay, McCoy, McMurry, Neff, O'Connor, Oulton, Pendegast, Perkins, Tompkins, Turner, Van Ness, Wand, Wilson, and Wing —32.

Noes—Messrs. Boucher, De Haven, Fowler, Larkin, Minis, and Tuttle—6.

The resolution was adopted.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Banvard—An Act to make an appropriation for the salary of the Phonographic Reporter of the Supreme Court the three months ending June thirtieth, eighteen hundred and seventy-two.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

By Mr. Comte—An Act supplementary to and explanatory of the Act approved March sixth, eighteen hundred and seventy-two, entitled an Act to authorize the County of Sacramento to issue bonds.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

RESOLUTIONS.

By Mr. Larkin:

Resolved, That James Hawkins, Sergeant at Arms of the Senate, be and is hereby directed to dispose of to the best advantage such furniture as he may have purchased for the use of the committee rooms of the Senate, and pay the same to the Secretary of State, and said amount shall be placed to the credit of the State Library Fund.

Adopted.

By Mr. Duffy:

Resolved, That Victor Hoffmann and H. McKeading be and are hereby allowed the sum of one hundred dollars each, and Levi Goodrich the sum of fifty dollars, for services as architects in the investigation of the manner in which the work of construction on the State Normal School Buildings was conducted, drawn out of the appropriation for contingent expenses of the Senate.

Adopted.

FURTHER INTRODUCTION OF BILLS.

By Mr. Irwin—An Act to authorize the Board of Supervisors of Siskiyou County to pay Presley A. Dorris a certain sum out of the County General Fund.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

Mr. Minis verbally reported Assembly Bill No. 712, and recommended its passage.

The rules were suspended, bill read a third time and passed.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
April 1st, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this first day of April, adopted Assembly Concurrent Resolution No. 40—Relative to paying E. H. Pomeroy one hundred and fifty dollars for services rendered as Clerk of Joint Committee on Public Lands.

Also, adopted Assembly Concurrent Resolution No. 41—Relating to swamp and overflowed lands in California.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
April 1st, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the thirtieth day of March, amended and passed Senate Bill No. 514—An Act to amend and in relation to the Political, Civil, and Penal Codes, and the Code of Civil Procedure.

Also, on same day, refused to pass Senate Bill No. 62—Proposed amendment to section second, article fourth of the Constitution of the State of California.

Also, on same day, passed Senate Bill No. 515—Proposed amendment to the Constitution of the State of California.

Also, on this first day of April, passed Senate Bill No. 413—An Act to provide for an official survey of the swamp and overflowed, tide and salt marsh lands in Sonoma County.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGE.

Senate Bill No. 514, above reported, the amendments reported by the Assembly concurred in by the Senate.

Assembly Concurrent Resolution No. 40, above reported, adopted.

RESOLUTION.

By Mr. Pendegast:

Resolved by the Senate, the Assembly concurring, That the Enrolling Committee of the Senate be instructed to transmit to the Governor the Act entitled an Act to amend and in relation to the Political, Penal, and Civil Codes, and Code of Civil Procedure, in its present shape.

Adopted.

The rules were suspended for the consideration of Assembly Bill No. 693—An Act in relation to foreign corporations.

The bill was read a third time and passed.

FURTHER INTRODUCTION OF BILLS.

By Mr. Irwin—An Act to repeal certain statutes.

Read first and second times, rules suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 694—An Act to provide for the repairs and improvement of roads and highways in the City and County of San Francisco.

Read a third time and passed.

Assembly Bill No. 534—An Act to amend an Act regulating marriages.

Amendments adopted, bill read a third time and passed; title amended and amendment adopted.

The rules were suspended for the consideration of Assembly Bill No. 686—An Act concerning the office of Sheriff of the City and County of San Francisco.

Read a third time and passed.

REPORTS.

Reports were made as follows:

By Mr. Banvard:

Mr. PRESIDENT: The Committee on Finance, to whom was referred Assembly Bill No. 736—An Act concerning duplicate bonds of the funded debt of eighteen hundred and fifty-seven—have had the same under consideration, and herewith report it back, and recommend its passage.

BANVARD, Chairman.

The rules were suspended, and Assembly Bill No. 736, above reported, was read a third time and passed.

Assembly Bill No. 767—An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco.

Rules suspended, bill read a third time and passed.

Assembly Bill No. 662—An Act to protect the wages of labor and the salaries and fees of subordinate officers.

Read a third time and passed.

By Mr. McMurry:

Mr. PRESIDENT: The Committee on Contingent Expenses, having examined and found correct the following accounts, herewith report the same, and recommend the adoption of the following resolution:

To whom due.	Amount.
Daily Evening Post	$33 00
John Murphy, Gilroy Advocate	3 00
K. Weimeyer, Sacramento Journal	5 00
Visalia Delta	12 00
News Publishing Company	21 00
California Farmer	2 00

To whom due.	Amount.
C. O. Cummings, Pajaronian	11 00
Appeal Association	6 00
George H. Crossette, Butte Record	3 00
Colusa Sun	27 00
Sacramento Gas Company, lighting committee rooms	10 00
Mrs. E. Clark, washing towels	36 00
A. Flohr, repairing locks for safe	20 00
Nevada Ice Company	54 30
Edwards & Co., chamois skins	15 00
John Breuner, repairing furniture	12 50
David Bush, portable argand	25 00
William O'Brien, hauling mail	20 00
J. T. Flemming, carrying mail	20 00
J. J. Cass, for locks, keys, repairs, etc	175 00
Total	$511 30

Resolved, That the Controller is hereby authorized to draw his warrant on the Treasurer in favor of the following named persons, for the amounts set opposite their names, payable out of the appropriation for contingent expenses of the Senate:

In favor of the Daily Evening Post, for thirty-three dollars.
In favor of John Murphy, for three dollars.
In favor of K. Weimeyer, for five dollars.
In favor of the Visalia Delta, for twelve dollars.
In favor of the News Publishing Company, for twenty-one dollars.
In favor of the California Farmer, for two dollars.
In favor of C. O. Cummings, for eleven dollars.
In favor of the Appeal Association, for six dollars.
In favor of George H. Crossette, for three dollars.
In favor of the Colusa Sun, for twenty-seven dollars.
In favor of the Sacramento Gas Company, for ten dollars.
In favor of Mrs. E. Clark, for thirty-six dollars.
In favor of A. Flohr, for twenty dollars.
In favor of the Nevada Ice Company, for fifty-four dollars and thirty cents.
In favor of Edwards & Co., for fifteen dollars.
In favor of John Breuner, for twelve dollars and fifty cents.
In favor of David Bush, for twenty-five dollars.
In favor of William O'Brien, for twenty dollars.
In favor of J. T. Flemming, for twenty dollars.
In favor of J. J. Cass, for one hundred and seventy-five dollars.

Adopted.

By Mr. Maclay:

WHEREAS, It is the custom in Congress and the several State Legislatures, where shorthand reports of the proceedings are made, at the

close of each session to testify in a substantial manner their appreciation of the labors of the phonographers; and, whereas, the reports of the proceedings of the Senate at this session have been reported very fully, accurately, and impartially by the two shorthand writers in this body; therefore be it

Resolved, That a per diem of three and a half dollars each, during the session, be allowed J. A. Waymire, shorthand reporter for the *Sacramento Daily Union*, and W. M. Cutter, shorthand reporter for the *Sacramento Daily Record;* and the Controller of State is hereby authorized to draw his warrants in their favor, payable out of the appropriation for contingent expenses of the Senate.

Adopted.

Mr. Wing verbally reported Assembly Bill No. 738, and recommended its passage.

The rules were suspended, bill read a third time and passed.

By Mr. Tuttle:

Mr. PRESIDENT: The Sonoma delegation, to whom was referred Assembly Bill No. 437—An Act to provide an additional number of Supervisors for the County of Sonoma; and Assembly Bill No. 525—An Act to change the name of Dunbar School District, Sonoma County—herewith report the same back.

TUTTLE, Delegation.

By Mr. Tuttle:

Mr. PRESIDENT: The Committee on Education have had under consideration Assembly Bill No. 651—An Act to provide for the education of the children in the State of California.

Also, Assembly Bill No. 366—An Act to amend an Act entitled an Act to amend an Act to provide a system of common schools, approved April fourth, eighteen hundred and seventy.

Also, substitute for Assembly Bill No. 432—An Act amendatory of and supplementary to an Act entitled an Act to amend an Act to provide for a better system of common schools, approved April fourth, eighteen hundred and seventy.

Also, Senate Bill No. 91—An Act to provide for the compulsory education of the youth of California.

Herewith report the several bills back and recommend that they do not pass.

Also, report back Senate Bill No. —, the committee having already prepared and reported a bill to accomplish the object of the resolution.

TUTTLE, Chairman.

By Mr. Finney:

Mr. PRESIDENT: The special committee appointed to consider the civil and political rights of women, most respectfully return to the Senate the petitions and their report, and ask to be discharged.

FINNEY, for Committee.

(For report see Appendix.)

Mr. Minis verbally reported Assembly Bill No. 768 and recommended its passage.

The rules were suspended and bill passed.

RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Tuttle:

Resolved, That the sum of one hundred dollars, payable out of the appropriation for the contingent expenses of the Senate, be and is hereby allowed to E. L. Crawford, for services rendered the Senate Committee on Education, and the Controller is hereby directed to draw his warrant for said amount, and the Treasurer to pay the same.

Adopted.

By Mr. Pendegast:

Joint Resolution—Relative to an increase of the ocean mail steamship service between San Francisco and Japan.

Read and adopted.

Mr. Farley verbally reported Senate Bill No. 347, and recommended its passage.

The rules were suspended, and Senate Bill No. 347 considered engrossed, read a third time and passed.

GENERAL FILE.

Senate Bill No. 70—An Act to provide additional grounds for the State Capitol.

Upon the passage of the bill, the ayes and noes were demanded by Messrs. Larkin, Maclay, and Fowler, and the Senate so ordered by the following vote:

AYES—Messrs. Andross, Banvard, Beck, Betge, Boggs, Comte, De Haven, Duffy, Dyer, Evans, Garratt, Hutchings, Kent, Maclay, McCoy, Minis, Oulton, Pendegast, Perkins, Tompkins, and Van Ness—21.

NOES—Messrs. Boucher, Crane, Farley, Fowler, Goodale, Gwin, Irwin, Keys, Larkin, McKusick, Neff, O'Connor, Turner, Wilson, and Wing—15.

Mr. Pendegast moved to take up for consideration Assembly Bill No. 343—An Act to define the Senatorial and Assembly Districts of this State.

Mr. Irwin raised the point of order that the bill had on Saturday gone into unfinished business, and could not be taken up for consideration at this time without a two-thirds vote of the Senate.

The chair decided the point of order to be well taken.

Mr. Pendegast appealed from the decision of the chair.

Pending the decision of the appeal Mr. Pendegast withdrew the appeal.

Mr. Pendegast moved to lay the General File on the table, upon which the ayes and noes were demanded by Messrs. Larkin, Minis, and Farley, and the Senate refused by the following vote:

AYES—Messrs. Andross, Banvard, Beck, Betge, Comte, Crane, Duffy, Finney, Hutchings, Kent, Keys, Maclay, Oulton, Pendegast, Turner, Van Ness, Wand, and Wing—18.

NOES—Messrs. Boggs, Boucher, De Haven, Dyer, Evans, Farley, Fowler, Goodale, Gwin, Irwin, Larkin, McCoy, McKissick, McMurry, Mims, Neff, O'Connor, Perkins, Tuttle, and Wilson—20.

Senate Bill No. 511—An Act to amend certain parts of the Political Code.

Pending the consideration of the bill, the Senate, at one o'clock P. M., took a recess for one hour.

REASSEMBLED.

Senate reassembled at two o'clock P. M.
President pro tem in the chair.
Roll called.
Quorum present.

GENERAL FILE RESUMED.

On motion of Mr. Comte, the rules were suspended for the consideration of Senate Bill No. 509—An Act to authorize the Assessor of San Francisco to appoint deputies.

The rules were suspended, bill considered engrossed, read a third time and passed.

Assembly Bill No. 699—An Act relative to appropriating money for payment of officers of the Assembly.

Read a third time and passed.

Mr. Irwin verbally reported Assembly Bill No. 359 without recommendation.

RESOLUTIONS.

By Mr. Banvard:

Resolved, That H. C. Chipman be and he is hereby allowed one week's pay for services as Clerk of Finance Committee, and the Controller is hereby directed to draw his warrant on the Contingent Fund of the Senate in favor of H. C. Chipman for such amount, and the Treasurer to pay the same.

Adopted.

By Mr. Duffy:

Resolved, That George Bird and Daniel Frey be allowed a per diem of one dollar each, from the commencement of the session, for services rendered by them in lighting up the Senate Chamber, payable out of the Contingent Fund of the Senate.

Referred to the Committee on Contingent Expenses.

At two o'clock and twenty five minutes P. M. Mr. Larkin moved to adjourn until half-past seven this evening.

Upon which the ayes and noes were demanded by Messrs. Duffy, Oulton, and Finney, and the Senate so ordered by the following vote:

AYES—Messrs. Boggs, Boucher, De Haven, Evans, Farley, Fowler, Goodale, Gwin, Irwin, Keys, McMurry, Mims, Neff, O'Connor, Perkins, Tuttle, and Wilson—18.

NOES—Messrs. Beck, Comte, Crane, Duffy, Finney, Kent, Larkin,

Maclay, McKusick, Oulton, Pendegast, Tompkins, Turner, Van Ness, and Wand—14.

EVENING SESSION.

Senate reassembled at seven o'clock and thirty minutes.

President pro tem in the chair.

Roll called.

Quorum present.

SPECIAL FILE.

Assembly Bill No. 346—Relative to a House of Correction in San Francisco.

Read a third time and passed.

Assembly Bill No. 706—An Act to amend an Act entitled an Act to repeal an Act to declare and regulate the power of the Board of Supervisors of the City and County of San Francisco to take private lands for certain public improvements, and to prescribe the manner of its execution, approved April fourth, eighteen hundred and sixty-four, approved March thirtieth, eighteen hundred and sixty-eight.

Read a third time and passed.

Assembly Bill No. 143—Relating to Notaries Public in Sacramento County.

Amendments adopted, bill read a third time and passed.

Assembly Bill No. 652—An Act to provide funds for the further reclamation of Swamp Land Districts Numbers Fifty and Fifty-one, in Sacramento County.

Read a third time and passed.

Assembly Bill No. 746—An Act to provide for the better protection of lands in San Joaquin County from overflow.

Read a third time and passed.

RESOLUTION.

By Mr. Duffy:

Resolved, That John F. Fleming, Postmaster of the Senate, be and is hereby allowed the sum of four dollars per diem for one week after the adjournment of the Senate sine die, payable out of the Contingent Fund of the Senate, for forwarding mails to Senators.

Referred to the Committee on Contingent Expenses.

SPECIAL FILE RESUMED.

Senate Resolution—Relative to purchase of portrait of ex-Governor Bigler.

Upon the adoption of the resolution, the ayes and noes were demanded by Messrs. Larkin, Banvard, and Oulton, and the Senate so ordered by the following vote:

Ayes—Messrs. Andross, Banvard, Beck, Betge, Boggs, Comte, Dyer, Evans, Farley, Fowler, Garratt, Gwin, Hutchings, Irwin, Kent, Keys, Maclay, McCoy, McKusick, Minis, Neff, O'Connor, Oulton, Pendegast, Perkins, Tompkins, Tuttle, Van Ness, Wand, Wilson, and Wing—31.

NOES—Messrs. Crane, De Haven, Duffy, Finney, Goodale, Larkin, McMurry, and Turner—8.

RESOLUTIONS.

The following resolution was offered by Mr. Wilson:

Resolved, That Juan J. de la Guerra, Journal Clerk of the Senate, be allowed one week's pay (fifty-six dollars) for the finishing, comparing, and ruling of the Journal, and the Controller of State is hereby directed to draw his warrant for the above sum, and the Treasurer of State to pay the same out of the Contingent Fund of the Senate.

Rules suspended and resolution adopted.
By Mr. Evans:

Resolved, That the clerks at the desk be and they are hereby allowed one week's pay for services necessary to be performed in closing up the business of the Senate after the adjournment sine die, payable out of the appropriation for the pay of officers and clerks of the Senate, and the Controller is hereby directed to draw his warrants therefor, and the Treasurer to pay the same.

Adopted.
By Mr. Van Ness:

Resolved, That James S. Hawkins, Sergeant at Arms of the Senate, be and he is hereby allowed ten days extra pay from the adjournment of the Senate for services to be rendered in settling up the affairs and accounts of the office, and the Controller of State is hereby directed to draw his warrant on the Treasurer of State for the sum of eighty dollars, and the Treasurer of State is hereby directed to pay the same out of the Contingent Fund of the Senate.

Adopted.
By Mr. Tompkins:

Resolved, That Senators Larkin, O'Connor, and Van Ness be and they are hereby appointed a select committee, to whom all bills, resolutions, or other matters introduced this evening shall be referred without reading, and that no matter be read or considered unless recommended by said committee.

Adopted.

Senate Bill No. 432—An Act to authorize the State Controller to issue duplicate warrants.

Rules suspended, bill considered engrossed, read a third time and passed.

The resolution reported from the Committee on Contingent Expenses, allowing James Saultry two dollars per day from December fourth, eighteen hundred and seventy-one, to April second, eighteen hundred and seventy-two, for services as Day Watchman, was adopted.

Mr. Tompkins moved that all resolutions heretofore introduced and reported by the Committee on Contingent Expenses, and all resolutions to be introduced with reference to extra pay, be referred to the select committee.

Upon which the ayes and noes were demanded by Messrs. Fowler, Betge, and Duffy, and the Senate so ordered by the following vote:

AYES—Messrs. Boucher, Crane, Evans, Farley, Finney, Garratt, Goodale, Irwin, McMurry, Minis, Neff, Oulton, Perkins, Tompkins, Turner, Tuttle, Wand, and Wing—18.

NOES—Messrs. Beck, Betge, Boggs, Comte, De Haven, Duffy, Dyer, Fowler, Gwin, Hutchings, Kent, Keys, Maclay, McCoy, and Wilson—15.

Mr. Finney moved to suspend the rules for the consideration of Assembly Bill No. 88—An Act to repeal an Act entitled an Act for the relief of the free schools of Presentation Convent.

Upon the suspension of the rules, the ayes and noes were demanded by Messrs. Finney, De Haven, and Goodale, and the Senate refused by the following vote:

AYES—Messrs. Andross, Boucher, Crane, De Haven, Evans, Finney, Garratt, Goodale, McKusick, Oulton, Perkins, Tompkins, and Turner—13.

NOES—Messrs. Banvard, Beck, Betge, Boggs, Comte, Duffy, Farley, Fowler, Gwin, Hutchings, Irwin, Kent, Keys, Larkin, McCoy, McMurry, Minis, O'Connor, Pendgast, Tuttle, Van Ness, Wand, and Wilson—23.

REPORTS.

Mr. Minis verbally reported Senate Bill No. 455, Assembly Bill No. 778, Assembly Bill No. 777, Assembly Bill No. 688, Assembly Bill No. 689, and Assembly Bill No. 153, without recommendation.

Mr. Comte verbally reported Assembly Bill No. 600 and Assembly Bill No. 602—and recommended that they do not pass.

The following bills were reported from different committees without recommendation: Assembly Bill No. 770, Assembly Bill No. 230, Assembly Bill No. 397, Senate Bill No. 213, Assembly Bill No. 740, Assembly Bill No. 501, Assembly Bill No. 512, Assembly Bill No. 389, Assembly Bill No. 775, Assembly Bill No. 455, Assembly Bill No. 456, Senate Bill No. 426, Assembly Bill No. 31, Senate Bill No. 128, Assembly Joint Resolution No. 14, Assembly Joint Resolution No. 10, Senate Bill No. 57, and Assembly Bill No. 91.

RESOLUTIONS.

By Mr. Irwin:

Resolved by the Senate, the Assembly concurring, That the State Printer be and he is hereby directed to print five thousand copies of the Report of the State Agricultural Society for the years eighteen hundred and seventy and eighteen hundred and seventy-one, and bind five hundred copies of the same; he must deliver five hundred extras, two hundred and fifty bound and two hundred and fifty unbound, to the Secretary of State, and the remaining two thousand five hundred copies to the Secretary of the State Agricultural Society—resolutions heretofore passed directing the printing of said Report are hereby rescinded.

Adopted.

By Mr. Tompkins:

Resolved, That the President pro tem and Secretary of the Senate be

authorized and directed to examine and approve the Journal of this day's proceedings of the Senate.

Adopted.

REPORT.

By Mr. Banvard:

Mr. PRESIDENT: Your Committee on Finance would respectfully return to the Senate the Report of the Hospital Committee, which was referred to our committee, having acted upon the suggestions made by the Hospital Committee in the Appropriation Bill, which has passed both branches of the Legislature.

And the committee would take this occasion to express to the Senate their thanks for the uniform courtesy with which the opinions and recommendations of the committee have been considered in all matters referred to them; and in surrendering to the Senate this day the trust confided to us, will take this occasion to say that we will ever cherish the memories of the present session with pleasing recollections.

BANVARD, Chairman.

SPECIAL FILE RESUMED.

The Senate resumed consideration of the Special File, as follows:

Assembly Bill No. 724—An Act to provide for the opening and widening of streets in San José.

Read a third time and passed.

RESOLUTION.

By the select committee:

Resolved, That J. Webb be and is hereby allowed four dollars per day as Doorkeeper, from the fourth of December to the fourteenth of December, eighteen hundred and seventy one, payable out of the appropriation for the contingent expenses of the Senate.

Adopted.

MESSAGES FROM THE ASSEMBLY.

The following messages were received from the Assembly:

ASSEMBLY CHAMBER,
April 1st, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this first day of April, concurred in Senate Joint Resolution No. 9—Relating to mail steamship service.

Also, on the same day, refused to suspend the rules for a third reading of Senate Bill No. 70—An Act to provide additional grounds for the State Capitol building, in the City of Sacramento.

Also, passed Senate Bill No. 464—An Act to authorize the Napa Ladies' Seminary to grant diplomas.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
April 1st, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the first day of April, passed Senate Bill No. 518—An Act to authorize the Board of Supervisors of Siskiyou County to pay Presley A. Dorris a certain sum out of the County General Fund.

Also, on the same day, passed Senate Bill No. 516—An Act to make an appropriation for the salary of the Phonographic Reporter of the Supreme Court for the three months ending June thirtieth, eighteen hundred and seventy-two.

Also, on the same day, concurred in Senate amendments to Assembly substitute, as reported by the committee of conference, to Senate Bill No. 361—An Act to provide for a system of common schools.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
April 1st, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this first day of April, refused to concur in Senate amendments to Assembly Bill No. 534—An Act to amend an Act entitled an Act to amend an Act entitled an Act regulating marriages, passed April twenty-second, eighteen hundred and fifty, approved April ninth, eighteen hundred and sixty-three.

Also, on the same day, passed Senate Bill No. 517—An Act supplementary to and explanatory of the Act approved March sixth, eighteen hundred and seventy-two, entitled an Act to authorize the County of Sacramento to issue bonds.

Also, on the same day, concurred in Senate Concurrent Resolution No. 54—Relative to transmitting Senate Bill No. 514 to the Governor without enrollment.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
April 1st, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this first day of April, passed Senate Bill No. 509—An Act to authorize the Assessor of the City and County of San Francisco to appoint deputies.

DIXON, Assistant Clerk.

ASSEMBLY CHAMBER,
April 1st, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this first day of April, passed Senate Bill No. 347—An Act to provide for the construction of a public road from the Town of Amador City to the Town of Sutter Creek, in Amador County, and the collection of tolls thereon.

Also, passed Senate Bill No. 192—An Act to legalize, confirm, and make valid certain contracts for street work in the City and County of San Francisco.

Also, passed Senate Bill No. 466—An Act concerning the office of District Attorney of Sacramento County.

Also, adopted Resolution—Asking return of Senate Bill No. 70—it having been sent to the Senate by mistake.

DIXON, Assistant Clerk.

CONSIDERATION OF ASSEMBLY MESSAGES.

Substitute for Assembly Bill No. 534, above reported, Senate refused to recede from its amendment.

REPORTS.

Reports were made as follows:

By Mr. Beck:

Mr. PRESIDENT: Your Committee on Enrollment have delivered this day to the Governor Senate Bill No. 514—An Act to amend and in relation to the Civil and Political Codes and Code of Civil Procedure—at one o'clock P. M.

BECK.

Mr. PRESIDENT: Your Committee on Enrollment have examined and find correctly enrolled Senate Bill No. 288—An Act repealing Article IV of an Act entitled an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved April nineteenth, eighteen hundred and fifty six, and all Acts and parts of Acts amendatory and supplementary thereof, and substituting this Act for said Article IV—and have presented the same to the Governor this day, at ten o'clock and thirty minutes.

BECK, for Committee.

Mr. PRESIDENT: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 516—An Act to make an appropriation for the salary of the Phonographic Reporter of the Supreme Court for the three months ending June thirtieth, eighteen hundred and seventy-two.

Also, Senate Bill No. 464—An Act to authorize the Napa Ladies' Seminary to grant diplomas.

Also, Senate Bill No. 517—An Act supplementary to and explanatory of the Act approved March the sixth, eighteen hundred and seventy-two, entitled an Act to authorize the County of Sacramento to issue bonds.

Also, Senate Bill No. 518—An Act to authorize the Board of Supervisors of Siskiyou County to pay Presley A. Dorris a certain sum out of the County General Fund.

And have presented the same to the Governor for his signature this day, at nine o'clock and five minutes.

BECK.

Mr. PRESIDENT: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 361—An Act to provide a system of common schools—and have pre-

sented the same to the Governor for his signature this day, at nine o'clock and thirty minutes P. M.

BECK.

By Mr. McMurry:

Mr. PRESIDENT: Your Committee on Enrollment have examined and find correctly enrolled Senate Bill No. 307—An Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, approved April nineteenth, eighteen hundred and fifty-six.

Also, Senate Bill No. 197—An Act to amend an Act entitled an Act to restrict the herding of sheep, approved May eighteenth, eighteen hundred and sixty-one.

Also, Senate Bill No. 502—An Act making appropriations for deficiencies in the appropriations made for the twenty-second and twenty-third fiscal years.

Also, Senate Bill No. 390—An Act in relation to the State Printer.

Also, Senate Bill No. 474—An Act providing for the refunding of bonded indebtedness of the County of Santa Clara.

Also, Senate Bill No. 507—An Act to more clearly define the boundary line between the Counties of Lake and Yolo, in the State of California.

Also, Senate Bill No. 398—An Act to provide for the payment of legal services rendered the State by Samuel Cross.

Also, Senate Bill No. 431—An Act to provide for collecting a hospital poll tax in the County of Colusa.

Also, Senate Bill No. 51—An Act to provide for the legal services rendered the State by J. G. Jenkins.

Also, Senate Bill No. 491—An Act to amend an Act entitled an Act to regulate fees and salaries of officers and defining their duties in the County of El Dorado, and other matters relating thereto, approved March fifth, eighteen hundred and seventy.

Also, Senate Bill No. 515—Proposed amendments to the Constitution of the State of California.

Also, Senate Bill No. 413—An Act to provide for an official survey of the swamp and overflowed, tide and salt marsh lands in Sonoma County.

Also, Senate Bill No. 269—An Act to provide for the location, construction, and maintenance of public roads in the County of Colusa.

Also, Senate Bill No. 503—An Act to appropriate funds for the relief of the several Orphan Asylums of the State.

And have presented the same to the Governor this day, at three o'clock P. M.

MURRY, for Committee.

By Mr. Beck:

Mr. PRESIDENT: The Committee on Enrollment respectfully report that they have examined and find correctly enrolled Senate Bill No. 462—An Act to authorize the Board of State Harbor Commissioners to reduce and abolish the rates of wharfage, dockage, and tolls—and have presented the same to the Governor for his signature this day, at two o'clock and ten minutes.

BECK, for Committee.

By Mr. Hutchings:

Mr. President: The Committee on Enrollment respectfully report that they have examined and find correctly enrolled Senate Bill No. 429—An Act to amend an Act entitled an Act to grant Guillermo Carrillo and his assigns the right to supply the inhabitants of the Town of Santa Barbara with fresh water, approved May third, eighteen hundred and sixty-one.

Also, Senate Bill No. 469—An Act to put into effect certain parts of the Political Code.

And have presented the same to the Governor for his signature this day, at ten o'clock and ten minutes P. M.

HUTCHINGS.

Mr. President: Your Committee on Enrollment have examined and find correctly enrolled Senate Bill No. 385—An Act in regard to Swamp Land District Number Eighteen.

Also, Senate Bill No. 483—An Act to give immediate effect to certain provisions of the Political Code.

Also, Senate Bill No. 499—An Act to except certain counties from certain sections of an Act entitled an Act to put into effect certain parts of the Codes and provide for their publication, approved March twenty-second, eighteen hundred and seventy-two.

Also, Senate Bill No. 469—An Act in relation to the Superintendent of the State Insane Asylum.

Also, Senate Bill No. 495—An Act amendatory of an Act to amend an Act to fix the terms of the County Court and Probate Court of the County of Sonoma, approved March thirtieth, eighteen hundred and sixty-eight.

Also, Senate Bill No. 157—An Act to regulate the erection of public buildings and structures.

Also, Senate Bill No. 401—An Act supplementary to an Act to regulate fees of office, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Also, Senate Bill No. 504—An Act to amend an Act entitled an Act to regulate the salaries and fix the compensation of certain county officers in the County of Nevada, approved March sixth, eighteen hundred and seventy.

Also, Senate Bill No. 505—An Act authorizing the Board of Supervisors of San Mateo County to settle certain claims against said county.

Also, Senate Bill No. 508—An Act authorizing the Board of Supervisors of the County of Santa Clara to pay the County Clerk and Auditor of said county certain moneys therein mentioned.

Also, Senate Bill No. 478—An Act supplementary to an Act entitled an Act to authorize the distribution of the Reports of the State Geological Survey, approved February second, eighteen hundred and seventy-two.

Also, Senate Bill No. 430—An Act to authorize the Commissioners of the Funded Debt of the City of San Francisco to transfer certain funds and property to said city.

And have presented the same to the Governor this day, at ten o'clock and ten minutes P. M.

HUTCHINGS.

Mr. President: Your Committee on Enrollment have examined and find correctly enrolled Senate Bill No. 328—An Act to promote irrigation.

Also, Senate Bill No. 506—An Act to appropriate money for contingent expenses of the Senate at the nineteenth session of the Legislature.

And have presented the same to the Governor this day, at ten o'clock and ten minutes P. M.

HUTCHINGS.

Mr. PRESIDENT: Your Committee on Enrollment would respectfully report that they have examined and find correctly enrolled Senate Bill No. 373—An Act to provide for the location of towpaths along the banks of navigable streams—and have presented the same to the Governor for his signature this day, at ten o'clock A. M.

HUTCHINGS.

Senate Bill No. 418—An Act to reincorporate the City of Petaluma.

Rules suspended, bill considered engrossed, read a third time and passed.

RESOLUTION.

By Mr. Tompkins:

Resolved, That the thanks of the Senate are due, and are most cordially tendered, to the President and President pro tempore, for the ability and impartiality with which they have presided over its deliberations during the session now drawing to a close, and that they will take with them to their respective homes the most cordial good wishes of every member of this body.

Adopted.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, April 1st, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 478—An Act supplementary to an Act entitled an Act to authorize the distribution of the Reports of the State Geological Survey, approved February second, eighteen hundred and seventy-two.

Also, Senate Bill No. 157—An Act to regulate the erection of public buildings and structures.

Also, Senate Bill No. 505—An Act to authorize the Board of Supervisors of San Mateo County to settle certain claims against said county.

Also, Senate Bill No. 508—An Act authorizing the Board of Supervisors of the County of Santa Clara to pay to the County Clerk and Auditor of said county certain moneys therein mentioned.

Also, Senate Bill No. 469—An Act in relation to the Superintendent of the State Insane Asylum.

Also, Senate Bill No. 499—An Act to except certain counties from certain sections of an Act entitled an Act to put into effect certain parts of the Codes and provide for their publication, approved March twenty-second, eighteen hundred and seventy-two.

Also, Senate Bill No. 429—An Act to amend an Act entitled an Act to grant Guillermo Carillo and his assigns the right to supply the inhabitants of the Town of Santa Barbara with fresh water, approved May third, eighteen hundred and sixty-one.

Also, Senate Bill No. 385—An Act in regard to Swamp Land District Number Eighteen.

Also, Senate Bill No. 480—An Act to authorize the Commissioners of the Funded Debt of the City of San Francisco to transfer certain funds and property to said city.

Also, Senate Bill No. 401—An Act supplementary to an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy.

Also, Senate Bill No. 504—An Act to amend an Act entitled an Act to regulate the salaries and fix the compensation of certain county officers in the County of Nevada, approved March sixth, eighteen hundred and seventy.

Also, Senate Bill No. 495—An Act amendatory of an Act entitled an Act to amend an Act to fix the terms of the County Court and Probate Court of the County of Sonoma, approved March thirtieth, eighteen hundred and sixty-eight.

Also, Senate Bill No. 506—An Act to appropriate money for contingent expenses of the Senate at the nineteenth session of the Legislature.

Also, Senate Bill No. 326—An Act to promote irrigation.

Also, Senate Bill No. 288—An Act repealing Article IV of an Act entitled an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved the nineteenth day of April, eighteen hundred and fifty-six, and all Acts and parts of Acts amendatory thereof and supplementary thereto, and substituting this Act for said Article IV.

Also, Senate Bill No. 373—An Act to provide for the location of tow-roads along the banks of navigable streams.

Also, Senate Bill No. 514—An Act to amend and in relation to the Political, Civil, and Penal Codes and the Code of Civil Procedure.

Also, Senate Bill No. 390—An Act in relation to the State Printer.

Also, Senate Bill No. 417—An Act to repeal an Act granting certain powers to the Board of Supervisors of the City and County of San Francisco.

Also, Senate Bill No. 502—An Act making appropriations for deficiencies in the appropriation made for the twenty-second and twenty-third fiscal years.

Also, Senate Bill No. 489—An Act to put into effect certain parts of the Political Code.

Also, Senate Bill No. 269—An Act to provide for the location, construction, and maintenance of public roads in the County of Colusa.

Also, Senate Bill No. 474—An Act providing for the refunding of the bonded indebtedness of the County of Santa Clara.

Also, Senate Bill No. 307—An Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, approved April nineteenth, eighteen hundred and fifty-six.

Also, Senate Bill No. 491—An Act to amend an Act entitled an Act to regulate fees and salaries of officers and defining their duties, in the

County of El Dorado, and other matters relating thereto, approved March fifth, eighteen hundred and seventy.

Also, Senate Bill No. 398—An Act to provide for the payment of legal services rendered the State by Samuel Cross.

Also, Senate Bill No. 503—An Act to appropriate funds for the relief of the several orphan asylums of this State.

Also, Senate Bill No. 507—An Act to more clearly define the boundary line between the Counties of Lake and Yolo, in the State of California.

Also, Senate Bill No. 448—An Act for the relief of John J. Conlin.

Also, Senate Bill No. 51—An Act to provide for the legal services rendered the State by J. G. Jenkins.

NEWTON BOOTH, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 30th, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 313—An Act relative to unpaid warrants and assessments in Reclamation District Number One Hundred and Eight.

Also, Senate Bill No. 465—An Act to amend an Act entitled an Act to regulate fees in office, approved April tenth, eighteen hundred and fifty-five.

Also, Senate Bill No. 487—An Act to enable the City and County of San Francisco to conform to so much of the Political Code as relates to the public revenue.

Also, Senate Bill No. 200—An Act concerning trespasses on lands in the Counties of Santa Barbara and San Luis Obispo.

Also, Senate Bill No. 393—An Act to authorize the Board of Supervisors of San Joaquin County to appropriate money for the use of the San Joaquin Valley Agricultural Society.

Also, Senate Bill No. 297—An Act to authorize the payment of Mrs. Eliza McLean for supplies furnished the State Marine Hospital in the year eighteen hundred and fifty-three and eighteen hundred and fifty-four.

Also, Senate Bill No. 494—An Act in relation to the fees of District Attorneys in certain counties.

Also, Senate Bill No. 462—An Act authorizing and directing the Board of State Harbor Commissioners to reduce or abolish the rate of dockage, wharfage, and tolls.

Also, Senate Bill No. 423—An Act to authorize the Board of Supervisors of Yolo County to approve and certify claims against Swamp Land District Number Eighteen.

Also, Senate Bill No. 259—An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board.

Also, Senate Bill No. 449—An Act concerning the office of Sheriff of Humboldt County.

Also, Senate Bill No. 410—An Act to provide for Public Administrators in certain cases.

Also, Senate Bill No. 490—An Act to regulate the salary of the District Judge of the Sixteenth Judicial District.

Also, Senate Bill No. 379—An Act to authorize Margaret McDanel, administratrix of the estate of Thomas McDanel, deceased, to borrow money to pay the debts of the estate.

Also, Senate Bill No. 389—An Act to amend an Act entitled an Act to authorize the Board of Supervisors of Santa Barbara County to build a Court House and Jail in said county, to issue bonds of said county for the construction thereof, and to provide for the payment of the same, approved February second, eighteen hundred and seventy-two.

Also, Senate Bill No. 445—An Act to protect fish in the waters of Sierra and Plumas Counties.

Also, Senate Bill No. 485—An Act to authorize the Board of Supervisors of El Dorado County to levy a special tax, and for other purposes.

Also, Senate Bill No. 139—An Act to provide for the payment of the principal and interest on California Indian War Bond Number Thirty-four.

Also, Senate Bill No. 497—An Act to authorize the construction and maintenance of a public bridge across Napa River at Napa City.

Also, Senate Bill No. 420—An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public, and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two.

Also, Senate Bill No. 437—An Act concerning persons under sentence of imprisonment in the County Jail in the County of Napa.

Also, Senate Bill No. 260—An Act to facilitate and increase the collection of State and county and municipal licenses in the City and County of San Francisco.

Also, Senate Bill No. 238—An Act for the correction of errors and omissions in the official proceedings relative to certain contracts for street work in the City and County of San Francisco.

Also, Senate Bill No. 470—An Act concerning roads and highways in Contra Costa County.

Also, Senate Bill No. 481—An Act to provide for the incorporation of tramroad companies in the County of Shasta.

Also, Senate Bill No. 300—An Act to legalize certain proceedings of the Board of Supervisors of Yolo County.

NEWTON BOOTH, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, April 1st, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 464—An Act to authorize the Napa Ladies' Seminary to grant diplomas.

Also, Senate Bill No. 517—An Act supplementary to and explanatory of the Act approved March sixth, eighteen hundred and seventy-two, entitled an Act to authorize the County of Sacramento to issue bonds.

Also, Senate Bill No. 518—An Act to authorize the Board of Supervisors of Siskiyou County to pay Presley A. Dorris a certain sum out of the County General Fund.

Also, Senate Bill No. 514—An Act to amend and in relation to the Political, Civil, and Penal Codes, and the Code of Civil Procedure.

NEWTON BOOTH, Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, March 30th, 1872.

To the Senate of the State of California:

I respectfully return to your honorable body, herewith, Senate Bill No. 377—An Act to authorize the Trustees of the Town of Colusa to call an election of the qualified voters of said town to vote upon the continuance or dissolution of the municipal corporation of said town—without my approval.

The object of the bill is to submit a proposition to disincorporate the Town of Colusa to the qualified electors of said town.

By the fifth section the Board of Trustees are prohibited from creating any debt and from levying any tax, except to pay existing debts, after the passage of the Act.

The practical effect of section five would be to disincorporate the town without regard to the election and before it could be held.

The bill also fails to provide any means for the payment of any debts which may exist at the time of disincorporation.

NEWTON BOOTH, Governor.

RESOLUTIONS.

By Mr. O'Connor:

Resolved, That a committee of three be appointed by the President to wait upon his Excellency, the Governor, and inform him that the Senate is about to adjourn sine die, and inquire whether he has any further communications to the Senate.

Adopted.

By Mr. Perkins:

Resolved, That the thanks of the Senate are tendered to Mr. James A. Waymire, phonographic reporter for the *Sacramento Union*, and Mr. Wm. M. Cutter, of the *Record*, for their able and correct reports of the proceedings of the Senate.

Adopted.

The President announced the appointment of the following committee to wait upon his Excellency, the Governor, and inform him that the Senate is about to adjourn sine die: Messrs. O'Connor, Oulton, and Evans.

REPORT.

By Mr. McMurry:

Mr. PRESIDENT: Your Committee on Enrollment have examined and find correctly enrolled Senate Bill No. 70—An Act to provide additional grounds for the State Capitol building, in the City of Sacramento—and have presented the same to the Governor this day, at eleven o'clock and twenty minutes.

McMURRY, for Committee.

By Mr. Dyer:

Mr. PRESIDENT: Your Committee on Enrollment have examined and find correctly enrolled Senate Bill No. 509—An Act to authorize the Assessor of the City and County of San Francisco to appoint deputies—and have presented the same to the Governor this day, at ten o'clock and five minutes P. M.

DYER, for Committee.

Mr. PRESIDENT: Your Committee on Enrollment have examined and find correctly enrolled Senate Bill No. 466—An Act concerning the office of District Attorney of Sacramento County.

Also, Senate Bill No. 192—An Act to legalize, confirm, and make valid certain contracts for street work in the City and County of San Francisco.

Also, Senate Bill No. 347—An Act to provide for the construction of a public road from the Town of Amador City to Sutter Creek, in the County of Amador, and the collection of tolls thereon.

And have presented the same to the Governor this day, at eleven o'clock and thirty minutes P. M.

DYER.

MESSAGE FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
April 1st, 1872.

Mr. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this first day of April, passed Senate Bill No. 70—An Act to provide additional grounds for the State Capitol building, in the City of Sacramento.

DIXON, Assistant Clerk.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
Sacramento, April 1st, 1872.

To the Senate of the State of California:

I have to inform your honorable body that I have approved Senate Bill No. 70—An Act to provide additional grounds for the State Capitol building, in the City of Sacramento.

Also, Senate Bill No. 466—An Act to fix the compensation of the District Attorney of the County of Sacramento.

NEWTON BOOTH, Governor.

The special committee appointed to wait upon the Governor, reported that they had performed the duty assigned them, and that the Governor informed them that he had nothing further to communicate to the Senate.

The Clerk of the House announced to the Senate that that body had completed their business and were ready to adjourn sine die.

The Secretary of the Senate was directed to inform the House that the Senate had no further communication to make to that body.

RESOLUTION.

By Mr. Larkin:

Resolved, That the Sergeant at Arms be allowed one dollar per head for arrests made by him under calls of the Senate, as certified by the Secretary of the Senate, the same to be paid out of the contingent expenses of the Senate.

Adopted.

At twelve o'clock, midnight, the President of the Senate announced that the time prescribed by the Constitution of the State for the adjournment of the Legislature having arrived, declared the Senate adjourned sine die.

J. T. FARLEY,
President pro tem.

ROBERT FERRAL, Secretary.

INDEX.

96s

ORDER OF ARRANGEMENT.

INDEX TO PROCEEDINGS OF SENATE.
INDEX TO SENATE BILLS.
INDEX TO SENATE CONCURRENT RESOLUTIONS.
INDEX TO ASSEMBLY BILLS.
INDEX TO ASSEMBLY CONCURRENT RESOLUTIONS.

ABBREVIATIONS.—A. B., Assembly Bill; S. B., Senate Bill; A. C. R., Assembly Concurrent Resolution; S. C. R., Senate Concurrent Resolution.

INDEX TO PROCEEDINGS OF SENATE.

A

ADJOURNMENTS. Pages 6, 8, 21, 101, 107, 118, 122, 126, 130, 133, 137, 138, 143, 152, 160, 163, 170, 177, 183, 187, 192, 197, 201, 205, 211, 216, 221, 228, 233, 240, 248, 254, 267, 271, 278, 286, 292, 298, 303, 308, 316, 320, 327, 332, 339, 352, 360, 367, 372, 381, 387, 392, 399, 407, 415, 424, 437, 443, 451, 460, 472, 483, 498, 510, 516, 527, 541, 556, 565, 579, 583, 591, 603, 615, 623, 636, 650, 664, 683, 701, 718, 734, 759.

AGRICULTURE. Appointment of Committee on, 119.

Report on S. B. 4: 212.
S. B. 140: 328.
S. B. 170: 328.
S. B. 200: 383.
A. B. 292: 388.
A. B. 277: 401.
A. B. 338: 402.
A. B. 357: 434.
A. B. 287: 434.
S. B. 242. 434.
S. B. 320: 434.
S. B. 256: 484.
S. B. 331: 484.
S. B. 289: 484.
S. B. 326: 484.
S. B. 334: 484.
A. J. R. 26: 499.
S. B. 348: 516.
S. B. 393: 529.
A. B. 369: 529.
A. B. 374: 529.
A. B. 269: 529.
A. B. 557: 529.
A. B. 545: 542.
S. A. B. 213 and 284: 542.
A. B. 553: 638.
S. B. 456: 638.
A. B. 659: 665.

ANDROSS, M. C. Appeared and qualified, 5.
Report of Tuolumne delegation on S. B. 39: 202.
Act to provide for redeeming and paying warrants outstanding against Tuolumne County, and for paying the current expenses of said county in cash, and defining and limiting the powers and duties of certain officers relating thereto, 396.
Act authorizing Supervisors to levy special tax to pay certain bonds of Tuolumne County, 391.

ASSEMBLY MESSAGES. 6, 34, 98, 123, 136, 139, 140, 144, 146, 155, 157, 162, 168, 179, 185, 189, 194, 205, 207, 210, 215, 219, 229, 235, 238, 243, 247, 259, 263, 273, 277, 282, 289, 296, 301, 302, 306, 312, 315, 319, 326, 331, 336, 344, 350, 351, 355, 362, 370, 375, 376, 379, 385, 389, 399, 403, 404, 410, 411, 412, 420, 427, 429, 436, 437, 441, 448, 453, 455, 462, 463, 477, 478, 488, 489, 495, 496, 497, 502, 503, 507, 519, 520, 535, 536, 539, 540, 545, 554, 555, 560, 571, 575, 586, 594, 598, 599, 611, 612, 613, 630, 631, 632, 643, 644, 657, 658, 659, 568, 669, 670, 674, 675, 976, 677, 688, 689, 697, 698, 708, 709, 710, 711, 714, 715, 726, 727, 728, 729, 733, 739, 748, 749, 758.

AYES AND NOES. 21, 22, 99, 100, 101, 106, 130, 135, 158, 161, 162, 173, 182, 191, 195, 197, 201, 227, 229, 232, 236, 238, 247, 251, 253, 259, 260, 271, 276, 286, 286, 286, 291, 300, 300, 315, 330, 333, 334, 337, 337, 337, 338, 338, 338, 340, 340, 348, 355, 356, 358, 358, 360, 360, 364, 365, 377, 379, 387, 406, 414, 420, 423, 424, 434, 435, 442, 443, 449, 450, 457, 459, 481, 482, 483, 491, 492, 494, 505, 506, 509, 513, 514, 522, 524, 525, 526, 538, 539, 541, 552, 562, 563, 564, 574, 575, 576, 581, 582, 589, 590, 591, 597, 603, 609, 610, 619, 620, 621, 622, 636, 642, 649, 661, 662, 664, 670, 671, 672, 673, 693, 694, 695, 699, 701, 705, 709, 712, 713, 714, 716, 717, 718, 723, 724, 725, 730, 731, 732, 737, 738, 743, 744, 745, 747.

B

BANVARD, E. M. Appeared and took his seat, 5.
Resolution relative to adjournment, 106.
Resolution relative to additional payment of porters, 106.
Resolution for payment of porters, 107.
Resolution relative to mileage, 123.
Resolution relative to allowance for Lieutenant Governor, 130.
Resolution to appoint a day watchman for Senate, 132.
Act to allow District Attorney of Placer to appoint a deputy, 134.
Act making appropriation to pay for carpets, etc., in Capitol, 134.
Resolution relative to pay for porters, 135.
Concurrent Resolution relating to distribution of Insane Asylum Report, 138.
Report of Placer delegation, 138.
Resolution relative to additional porter for Senate galleries, 159.
Report of Placer delegation on S. B. 55: 160.
Act to protect the voters of this State, 162.
Act in relation to election of members of Senate and Assembly, 190.
Act for relief of George W. Reamer, 213.
Act concerning roads and highways in Placer County, 204.
Resolution relative to appointment of assistant Copying Clerk, 208.
Report of Placer delegation on S. B. 121: 217.
Act making appropriations for twenty-third fiscal year, 297.
Resolution relative to appointing certain Commissioners to settle claims of the State against the United States, for expenses incurred in suppressing Indian hostilities, 405.

BANVARD, E. M. Resolution relative to mileage for State Prison Committee, 457.
Resolution relative to payment for Placer Herald, 480.
Resolution relative to mileage for State Hospital Committee, 505.
Act making appropriations for deficiencies during twenty-third fiscal year, 546.
Act concerning District Tax Collector of Placer, 647.
Act making appropriations for deficiencies, 691.
Act appropriating money for relief of Orphan Asylum, 691.
Act appropriating moneys for erecting State University buildings, 724.
Act making appropriation for Phonographic Reporter of Supreme Court, 738.
Resolution relative to pay of Clerk of Committee on Finance, 744.
BECK, THOMAS. Appeared and qualified, 5.
Resolution relative to informing Assembly of organization of Senate, 20.
Resolution relative to clerk for Committee on Public Buildings, 199.
Act fixing salary of Superintendent of Public Schools of Monterey County, 180.
An Act concerning Boards of Supervisors, 245.
Act to provide means for government of Santa Cruz, 251.
Act to empower Roadmasters in Pajaro Road District of Santa Cruz, to construct and maintain a ditch through lands of Henry Wiley, 259.
Act amending Act to incorporate Town of Santa Cruz, 397.
Act to regulate fees of Sheriff in Santa Cruz County, 430.
Act to permanently locate the county seat of Monterey, 460.
Act concerning roads and highways in Monterey County, 465.
Act to create County of San Benito, 479.
Act in relation to office of District Attorney in Santa Cruz County, 490.
Resolution relative to certain expenses of State Normal School, 490.
Act concerning roads and highways in Santa Cruz and San Diego, 547.
Act amending Act providing for appointment of Notaries Public, 547.
Act concerning trespassing of animals in Monterey County, 692.
BETGE, R. J. Appeared and took his seat, 5.
Resolution relative to Standing Rules, 5.
Report on Joint Rules for both Houses, 102.
Resolution relative to porters for committee rooms, 121.
Act creating a State Forester, 127.
Resolution relative to adjournment, 200.
Act providing for compulsory education, 186.
Resolution adding James McCoy to Committee on Public Buildings, 203.
Act to regulate fares on street railroads in San Francisco, 245.
Act concerning limitations of actions and proceedings in certain cases, 251.
Act in relation to Board of Forest Commissioners and culture of timber.
Act in regard to the practice in the Police Court of San Francisco, 396.
Act conferring certain powers on County Judge of San Francisco, 413.
Act to pay claims for grading certain streets in San Francisco, 595.
Resolution relative to suspension of J. R. 15: 737.
BOGGS, JOHN. Appeared and qualified, 5.
Resolution relative to appointment of Chaplain, 20.
Act to repeal Act incorporating Town of Colusa, 139.
Act to amend Act relative to sale and management of public lands, 145.
Act to regulate proceedings in criminal cases, 186.
Act to provide for collection of delinquent taxes, 230.
Act for the relief of Jonas Spect, 230.
Act to authorize Supervisors of Colusa County to levy a special tax, 230.

BOGGS, JOHN. Act to incorporate the Town of Colusa, 319.
Act in relation to public roads in Colusa County, 355.
Act relative to unpaid warrants and assessments in Reclamation District No. 108: 397.
Act to protect agriculture and prevent the trespassing of animals, 405.
Act authorizing election in Town of Colusa upon continuance or dissolution of municipal corporation of town, 490.
Act to prevent hogs running at large in Red Bluff, 550.
Act to provide for collecting a poll hospital tax in Colusa County, 562.
Act in relation to Superintendent of State Insane Asylum, 634.
Concurrent resolution relative to mail route from Yolo to Colusa, 649.
BOUCHER, DAVID. Appeared and qualified, 5.
Act concerning roads in the County of Butte, 363.
Act relating to rates of fare and paving on certain street railroads in San Francisco, 375.
Act concerning roads in Butte County, 634.

C

CLAIMS. Appointment of Committee on, 119.
Report on S. B. 12: 126.
S. B. 38: 153.
S. B. 29: 164.
S. S. B. 29: 164.
S. B. 40: 184.
S. B. 64: 184.
S. B. 32: 212.
S. B. 113: 217.
S. B. 120: 217.
S. B. 110: 229.
A. B. 136: 229.
S. B. 95: 328.
S. B. 134: 328.
S. B. 142: 328.
S. B. 160: 328.
S. B. 201: 328.
S. B. 153: 328.
S. B. 222: 328.
S. B. 148: 408.
S. B. 181: 408.
S. B. 255: 408.
S. B. 291: 408.
A. B. 227: 439.
S. B. 104: 439.
S. B. 51: 460.
S. B. 122: 460.
S. B. 46: 461.
A. B. 165: 461.
A. B. 216: 473.
S. B. 294: 473.
S. B. 149: 473.

CLAIMS—COMMITTEE ON.
Report on S. B. 297: 473.
S. B. 291: 485.
S. B. 139: 498.
A. B. 334: 528.
A. B. 113: 528.
A. B. 367: 529.
A. B. 417: 529.
S. B. 51: 567.
S. B. 398: 567.
A. B. 488: 603.
A. B. 71: 604.
S. B. 382: 604.
S. B. 432: 604.
A. B. 76: 651.
S. B. 412: 651.
S. B. 475: 702.
S. B. 356: 702.
A. B. 722: 702.
A. J. R. 7: 720.
A. B. 527: 720.
COMMERCE AND NAVIGATION. Appointment of Committee on, 124.
Substitution of Mr. Wand for Mr. Pendegast as member of, 160.
Report on S. B. 19: 418.
A. B. 67: 418.
A. B. 212: 418.
S. B. 373: 556.
S. B. 411: 556.
A. B. 358: 570.
S. B. 424: 581.
A. B. 247: 640.
A. B. 105: 640.
A. B. 250: 655.
A. B. 412: 655.
A. B. 473: 655.
A. B. 646: 655.
COMTE, JR., A. Appeared and took his seat, 5.
Concurrent Resolution relative to appointment of Joint Committee on Revision, 118.
Concurrent Resolution relative to furnishing State Library with printed bills, 118.
Act making appropriation for translating documents into Spanish, 134.
Resolution relative to copying Appendix to Journal, 145.
Concurrent Resolution concerning raising a flag when Legislature is in session, 154.
Act concerning attorneys and counselors at law, 158.
Act to amend an Act regulating estates of deceased persons, 163.
Act for relief of Samuel Cross, 208.
Act for relief of Sacramento Light Artillery Company, 208.
Resolution relative to copying Journals of Senate, 209.
Act for relief of Sarsfield Grenadier Guard, Sacramento, 230.
Act to restrict the herding of sheep, 275.

COMTE, JR., A. Act to provide revenue for support of the State, 275.
Act concerning forcible entries and unlawful detainer, 290.
Act to provide for entering judgment by confession, on promissory notes and other instruments of writing, 290.
Act to pay for services rendered in State Armory, 297.
Act concerning revenue, 324.
Act in relation to civil cases in Courts of justice of this State, 324.
Act authorizing John Spriggs, an alien, to inherit the estate of his brother, Thomas Spriggs, deceased, 338.
Act in relation to Police officers, 391.
Act concerning crimes and punishments, 391.
Act to establish and maintain a Dispensary in Sacramento City, 456.
Resolution relative to expenses in contested election case of Flint vs. Beck, 480.
Act to enable heirs of T. Spriggs to inherit his estate, 494.
Resolution relative to adjournment, 505.
Act for payment of Samuel Cross for legal services, etc., 513.
Act to establish a State Botanical and Zoölogical Farm, etc., 538.
Act to establish a State Botanical and Zoölogical Farm, etc., 547.
Act authorizing the State Controller to issue a duplicate warrant, 562.
Act to amend an Act creating office of Insurance Commissioner, 574.
Act for relief of Central Pacific Railroad Company, 575.
Act concerning office of District Attorney of Sacramento County, 619.
Act to give immediate effect to certain provisions of the Political Code, 657.
Resolution relative to purchase of portrait of John Bigler, 661.
Act authorizing Clerk of Supreme Court to keep certain indexes, 671.
Act to amend certain parts of the Political Code, 692.
Act explanatory of Act authorizing Sacramento County to issue bonds, etc., 738.
CONTINGENT EXPENSES. Appointment of Committee on, 119.
Report of, 123.
concerning appointment of Assistant Engrossing Clerk, 143.
concerning appointing Assistant Journal Clerk, 143.
on S. B. 26: 153.
on copying Appendix, 153.
on Resolution for payment of San Francisco News Letter, 161.
on Resolution relative to copying Journals, 167.
on Resolutions relative to furnishing postage stamps, etc., 167.
on Resolution relative to Appendices, 171.
on Resolution relative to repairing heaters, etc., 184.
on Concurrent Resolution relative to flag raising, 193.
on Resolution relative to employment of Clerk by Committees on Corporations and Education, 202.
on S. B. 26: 211.
on resolution for appointment of Assistant Engrossing Clerk, 217.
on pay of certain clerks, 234.
recommending payment of certain claims, 249.
recommending payment of certain claims, 309.
recommending payment of certain claims, 400.
recommending payment of certain claims, 409.
on S. C. R. 38: 417.
recommending payment of certain claims, 118,

CONTINGENT EXPENSES—COMMITTEE ON.
Report on concurrent resolution relative to pay of Clerk and Sergeant-at-Arms of State Prison Committee, 473.
and resolution recommending payment of certain claims, 511.
and resolution recommending payment of certain claims, 532.
recommending payment of certain accounts, 685.
recommending payment of certain claim, 740.
CORPORATIONS. Appointment of Committee on, 124.
Members added to: 132.
Report on S. B. 61: 173.
S. B. 87: 193.
S. B. 105: 243.
S. B. 107: 243.
S. B. 112: 243.
A. B. 15: 304.
A. B. 74: 304.
A. B. 209: 304.
A. B. 155: 304.
S. B. 282: 416.
A. B. 303: 416.
A. B. 286: 416.
A. B. 261: 416.
S. B. 264: 416.
S. B. 317: 416.
S. B. 61: 433.
A. B. 413: 439.
S. B. 254: 475.
S. B. 240: 500.
A. B. 584: 542.
A. B. 121: 542.
S. B. 312: 542.
S. B. 354: 542.
S. B. 377: 542.
S. B. 5: 585.
A. B. 400: 637.
A. B. 539: 637.
S. B. 421: 637.
COUNTIES AND COUNTY BOUNDARIES. Appointment of Committee on, 124.
Report on A. B. 218: 426.
A. B. 362: 531.
A. B. 354: 531.
S. B. 368: 557.
S. B. 315: 557.
A. B. 516: 557.
A. B. 411: 627.
A. B. 582: 639.
A. B. 342: 657.
A. B. 343: 657.
S. B. 249: 657.
CRANE, L. D. Appeared and qualified, 5.
Act to regulate proceedings in civil cases, etc., 546.

D

DE HAVEN, J. J. Appeared and qualified, 5.
Act to amend State Constitution, 157.
Act to pay claim of James T. Ryan, Commissioner of Indian War Bonds, 203.
Act amending Act incorporating Town of Eureka, 208.
Act in relation to auditing claims against Humboldt County, 283.
Act fixing compensation of Treasurer and Assessor of Humboldt, 283.
Act relative to indigent sick in Del Norte County, 324.
Act in relation to incorporation of canal companies and construction of canals, 324.
Act concerning office of Sheriff of Humboldt County, 588.
DUFFY, JAMES A. Appeared and qualified, 5.
Act concerning trespassing of animals, 33.
Granted leave of absence, 132.
Granted indefinite leave of absence, 132.
Act for the relief of General John A. Sutter, 162.
Act to provide additional grounds for State Capitol, 163.
Act to provide a State Armory, 169.
Report on S. B. 54: 187.
Act concerning Board of Supervisors of Sacramento County, 180.
Act concerning post-mortem examinations before Coroners, etc., 180.
Act relative to State printing, 190.
Act to extend the time allowed the Southern Pacific and Western Pacific Railroad Companies in which to make the terminus of their roads on certain lands in San Francisco, 396.
Act for payment of salary of late Royal T. Sprague, Chief Justice, to his widow, 404.
Act relating to a special fund for State Library, 405.
Act to provide for settlement of claim of E. L. Brown, 504.
Act concerning the office of Secretary of Fire Department of Sacramento, 512.
Act to authorize suit against Supervisors of Sacramento, 575.
Resolution relative to pay for services of architects in Normal School investigations, 738.
Resolution relative to pay for lighting up Senate, 744.
Resolution relative to pay for Postmaster of Senate, 745.
DYER, B. Appeared and qualified, 5.
Resolution relative to stationery for use of Senate, 137.
Act to aid Mercantile Library Association of San Francisco, 265.
Act concerning fees and salaries of officers, etc., 523.

E

EDUCATION. Appointment of Committee on, 119.
Report on S. B. 3: 126.
A. B. 14: 184.
A. B. 68: 217.
S. B. 67: 242.
A. B. 53: 242.
S. B. 106: 262.
S. B. 80: 383.
S. B. 233: 417.
S. B. 322: 485.

EDUCATION—COMMITTEE ON.
Report on A. B. 260: 485.
S. B. 374: 488.
S. B. 361: 558.
A. B. 364: 624.
A. B. 506: 624.
A. B. 88: 667.
A. B. 671: 687.
S. B. 361: 710.
A. B. 651: 742.
A. B. 366: 742.
A. B. 432: 742.
S. B. 91: 742.
ELECTIONS. Appointment of Committee on, 119.
Contested election referred to, 132.
Report on S. B. 58: 164.
S. B. 63: 585.
S. B. 93: 585.
A. B. 59: 639.
S. B. 285: 655.
ENGROSSED BILLS. Appointment of Committee on, 119.
Report on S. B. 10: 133.
S. B. 26: 159.
S. B. 38: 169.
S. B. 47: 171.
S. B. 34: 178.
S. B. 8: 178.
S. B. 43: 178.
S. B. 60: 178.
S. B. 72: 183.
S. B. 61: 188.
S. B. 30: 193.
S. B. 84: 193.
S. B. 55: 196.
S. B. 64: 196.
S. B. 79: 198.
S. B. 89: 198.
S. B. 40: 198.
S. B. 67: 202.
S. B. 71: 202.
S. B. 27: 202.
S. B. 102: 206.
S. B. 111: 206.
S. B. 85: 212.
S. B. 23: 212.
S. B. 97: 212.
S. B. 116: 212.
S. B. 115: 217.
S. B. 90: 217.
S. B. 39: 217.
S. B. 82: 223.
S. B. 48: 223.

ENGROSSED BILLS—COMMITTEE ON.
Report on S. B. 32: 223.
S. B. 117: 228.
S. B. 89: 229.
S. B. 109: 229.
S. B. 113: 233.
S. B. 74: 233.
S. C. R. 21: 233.
S. B. 127: 242.
S. B. 129: 242.
S. B. 133: 242.
S. B. 147: 242.
S. B. 98: 248.
S. B. 110: 248.
S. B. 114: 248.
S. B. 162: 255.
S. B. 159: 255.
S. B. 155: 255.
S. B. 120: 262.
S. B. 40: 262.
S. B. 106: 262.
S. B. 121: 268.
S. B. 105: 268.
S. B. 112: 268.
S. B. 107: 287.
S. B. 183: 287.
S. B. 182: 287.
S. B. 137: 287.
S. B. 152: 287.
S. B. 194: 293.
S. B. 163: 293.
S. B. 53: 293.
S. B. 65: 293.
S. B. 131: 293.
S. B. 208: 293.
S. B. 198: 293.
S. B. 52: 293.
S. B. 136: 304.
S. B. 211: 304.
S. B. 220: 304.
S. B. 151: 304.
S. B. 225: 321.
S. B. 174: 321.
S. B. 196: 321.
S. B. 195: 361.
S. B. 201: 361.
S. B. 170: 361.
S. B. 160: 361.
S. B. 232: 361.
S. B. 197: 361.
S. B. 227: 368.
S. B. 140: 368.

ENGROSSED BILLS—COMMITTEE ON.
Report on S. B. 144: 368.
S. B. 99: 368.
S. B. 207: 368.
S. B. 44: 378.
S. B. 277: 378.
S. B. 267: 383.
S. B. 261: 383.
S. B. 258: 383.
S. B. 276: 383.
S. B. 241: 383.
S. B. 263: 393.
S. B. 280: 393.
S. B. 283: 393.
S. B. 284: 393.
S. B. 260: 393.
S. J. R. 3: 393.
S. B. 204: 393.
S. B. 290: 393.
S. B. 260: 401.
S. B. 301: 401.
S. B. 235: 401.
S. B. 80: 413.
S. B. 252: 413.
S. B. 215: 416.
S. B. 333: 416.
S. C. R. 36: 416.
S. B. 226: 425.
S. B. 75: 425.
S. J. R. 5: 425.
S. C. R. 39: 439.
S. B. 315: 439.
S. B. 335: 439.
S. B. 324: 439.
S. B. 310: 444.
S. B. 265: 444.
S. B. 341: 444.
S. B. 316: 444.
S. B. 305: 444.
S. B. 33: 444.
S. B. 206: 444.
S. B. 223: 444.
S. B. 69: 444.
S. B. 255: 451.
S. B. 282: 451.
S. B. 317: 451.
S. B. 200: 451.
S. B. 351: 459.
S. B. 268: 464.
S. B. 185: 464.
S. B. 309: 465.

ENGROSSED BILLS—COMMITTEE ON.
Report on S. B. 165: 465.
S. B. 275: 465.
S. B. 321: 465.
S. B. 271: 465.
S. B. 291: 465.
S. B. 296: 473.
S. B. 264: 473.
S. B. 66: 473.
S. B. 103: 473.
S. B. 180: 473.
S. B. 104: 484.
S. B. 360: 484.
S. B. 358: 484.
S. B. 279: 484.
S. B. 217: 484.
S. B. 336: 484.
S. B. 313: 484.
S. B. 349: 484.
S. B. 339: 484.
S. B. 345: 484.
S. B. 337: 488.
S. B. 353: 493.
S. B. 219: 499.
S. B. 340: 499.
S. B. 242: 499.
S. B. 320: 499.
S. B. 350: 499.
S. B. 378: 505.
S. B. 352: 505.
S. B. 365: 510.
S. B. 368: 523.
S. B. 336: 523.
S. B. 346: 523.
S. B. 270: 523.
S. B. 254: 523.
S. B. 256: 524.
S. B. 342: 528.
S. B. 389: 528.
S. B. 399: 528.
S. B. 405: 528.
S. B. 386: 530.
S. B. 189: 531.
S. B. 343: 531.
S. B. 388: 531.
S. B. 387: 531.
S. B. 404: 531.
S. B. 302: 532.
S. B. 344: 543.
S. B. 400: 544.
S. B. 407: 544.

ENGROSSED BILLS—COMMITTEE ON.
Report on S. B. 385: 544.
S. B. 408: 544.
S. B. 416: 551.
S. B. 374: 558.
S. B. 406: 558.
S. B. 414: 558.
S. B. 419: 558.
S. B. 372: 566.
S. B. 322: 566.
S. B. 425: 566.
S. B. 371: 566.
S. B. 312: 566.
S. B. 420: 567.
S. B. 297: 567.
S. B. 436: 585.
S. B. 367: 585.
S. B. 427: 585.
S. B. 439: 585.
S. B. 443: 593.
S. B. 326: 604.
S. B. 370: 609.
S. B. 361: 616.
S. B. 450: 616.
S. B. 451: 616.
S. B. 59: 618.
S. B. 396: 618.
S. B. 395: 618.
S. B. 348: 618.
S. B. 390: 618.
S. B. 157: 618.
S. B. 328: 618.
S. B. 462: 621.
S. B. 304: 623.
S. B. 463: 623.
S. B. 460: 623.
S. B. 300: 623.
S. B. 411: 629.
S. B. 307: 629.
S. B. 397: 629.
S. B. 410: 629.
S. B. 377: 635.
S. B. 464: 635.
S. B. 379: 635.
S. B. 393: 636.
S. B. 383: 636.
S. B. 474: 636.
S. B. 476: 636.
S. B. 423: 638.
S. B. 469: 638.
S. B. 468: 638.

ENGROSSED BILLS—COMMITTEE ON.
Report on S. B. 444: 638.
S. B. 473: 638.
S. B. 471: 638.
S. B. 398: 652.
S. B. 478: 652.
S. B. 447: 652.
S. B. 470: 655.
S. J. R. 8: 662.
S. B. 248: 662.
S. B. 479: 662.
S. B. 480: 662.
S. B. 483: 662.
S. B. 437: 663.
S. B. 485: 663.
S. B. 417: 663.
S. B. 51: 665
S. B. 492: 665.
S. B. 459: 665.
S. B. 491: 665.
S. B. 373: 673.
S. B. 495: 674.
S. B. 19: 675.
S. B. 472: 686.
S. B. 448: 686.
S. B. 477: 686.
S. B. 413: 686.
S. B. 442: 686.
S. B. 445: 686.
S. B. 499: 701.
S. B. 431: 702.
S. B. 269: 702.
S. B. 192: 723.
S. B. 512: 723.
S. B. 70: 734.
ENROLLED BILLS. Appointment of Committee on, 110.
Report on S. B. 12: 153.
S. B. 3: 156.
S. B. 25: 156.
S. B. 77: 185.
S. B. 26: 227.
S. B. 55: 227.
S. B. 64: 227.
S. B. 102: 227.
S. B. 30: 239.
S. B. 38: 239.
S. B. 89: 240.
S. B. 79: 242.
S. B. 72: 254.
S. B. 71: 254.
S. B. 117: 274.

ENROLLED BILLS—COMMITTEE ON.
Report on S. B. 116: 274.
S. B. 34: 274.
S. B. 8: 274.
S. B. 84: 274.
S. B. 39: 274.
S. B. 97: 274.
S. B. 115: 274.
S. C. R. 24: 274.
S. B. 82: 295.
S. B. 159: 295.
S. B. 133: 298.
S. B. 43: 298.
S. B. 176: 321.
S. J. R. 4: 321.
S. B. 110: 322.
S. B. 32: 322.
S. B. 105: 322.
S. B. 162: 322.
S. B. 208: 322.
S. B. 87: 322.
S. B. 151: 329.
S. B. 143: 329.
S. B. 137: 329.
S. B. 112: 362.
S. B. 48: 362.
S. B. 74: 362.
S. B. 163: 362.
S. B. 108: 383.
S. B. 136: 383.
S. B. 174: 401.
S. B. 239: 401.
S. B. 203: 401.
S. B. 10: 401.
S. B. 158: 401.
S. B. 202: 401.
S. B. 40: 401.
S. B. 214: 401.
S. B. 182: 401.
S. B. 107: 401.
S. B. 276: 417.
S. B. 210: 417.
S. B. 283: 430.
S. B. 308: 430.
S. B. 314: 430.
S. B. 135: 430.
S. B. 183: 430.
S. B. 193: 430.
S. B. 118: 430.
S. B. 23: 440.

ENROLLED BILLS—COMMITTEE ON.
Report on S. B. 155: 440.
S. B. 232: 440.
S. B. 284: 440.
S. B. 301: 440.
S. B. 333: 441.
S. C. R. 8: 441.
S. B. 228: 441.
S. B. 280: 441.
S. B. 65: 441.
S. B. 166: 441.
S. B. 277: 451.
S. B. 218: 451.
S. B. 153: 451.
S. B. 263: 467.
S. B. 212: 467.
S. B. 231: 467.
S. J. R. 3: 467.
S. C. R. 36: 467.
S. J. R. 1: 467.
S. B. 99: 468.
S. B. 298: 468.
S. B. 258: 475.
S. B. 332: 475.
S. B. 252: 475.
S. B. 67: 475.
S. C. R. 42: 475.
S. C. R. 39: 475.
S. B. 263: 487.
S. B. 160: 487.
S. B. 324: 487.
S. B. 257: 487.
S. B. 363: 487.
S. B. 375: 501.
S. B. 305: 507.
S. B. 144: 507.
S. B. 215: 507.
S. B. 235: 508.
S. B. 201: 508.
S. B. 315: 508.
S. B. 80: 508.
S. B. 380: 508.
S. B. 206: 522.
S. B. 317: 522.
S. B. 351: 522.
S. B. 316: 522.
S. B. 271: 523.
S. B. 341: 523.
S. B. 226: 523.
S. B. 321: 534.
S. B. 52: 547.

ENROLLED BILLS—COMMITTEE ON.
Report on S. B. 265: 548.
S. B. 349: 548.
S. B. 279: 548.
S. B. 310: 548.
S. B. 170: 548.
S. B. 339: 548.
S. B. 217: 548.
S. B. 309: 548.
S. B. 185: 548.
S. B. 207: 548.
S. B. 345: 548.
S. J. R. 5: 548.
S. B. 165: 549.
S. B. 196: 549.
S. J. R. 7: 549.
S. B. 353: 549.
S. B. 223: 549.
S. B. 402: 549.
S. B. 290: 567.
S. B. 247: 567.
S. B. 365: 568.
S. B. 255: 568.
S. B. 360: 568.
S. B. 126: 568.
S. B. 387: 580.
S. B. 352: 580.
S. B. 388: 580.
S. B. 364: 580.
S. B. 296: 580.
S. B. 405: 580.
S. B. 219: 580.
S. B. 404: 580.
S. B. 430: 592.
S. B. 114: 592.
S. B. 291: 592.
S. B. 346: 592.
S. B. 270: 592.
S. B. 336: 592.
S. B. 69: 592.
Memorial for relief of settlers on Suscol Rancho, 592.
Report on S. B. 386: 592.
S. B. 399: 592.
S. B. 378: 592.
S. B. 140: 592.
S. B. 313: 592.
S. B. 144: 592.
S. B. 416: 600.
S. B. 312: 607.
S. B. 350: 607.
S. B. 414: 609.

ENROLLED BILLS—COMMITTEE ON.
Report on S. B. 340: 626.
S. B. 61: 626.
S. B. 400: 626.
S. B. 371: 627.
S. B. 220: 627.
S. B. 254: 627.
S. B. 238: 627.
S. B. 419: 627.
S. B. 425: 627.
S. B. 268: 627.
S. B. 75: 652.
S. B. 381: 652.
S. B. 408: 652.
S. C. R. 48: 652.
S. B. 367: 652.
S. B. 297: 652.
S. B. 374: 652.
S. B. 443: 652.
S. B. 357: 684.
S. B. 372: 684.
S. B. 450: 684.
S. B. 59: 684.
S. B. 439: 684.
S. B. 395: 684.
S. B. 335: 684.
S. B. 396: 684.
S. B. 436: 684.
S. B. 328: 684.
S. B. 492: 684.
S. B. 342: 684.
S. B. 454: 684.
S. B. 250: 684.
S. B. 444: 700.
S. B. 322: 700.
S. B. 468: 700.
S. B. 432: 700.
S. B. 275: 700.
S. B. 343: 700.
S. B. 394: 700.
S. B. 338: 700.
S. B. 460: 700.
S. B. 383: 700.
S. B. 302: 700.
S. B. 377: 700.
S. B. 471: 700.
S. B. 320: 700.
S. B. 344: 722.
S. B. 458: 722.
S. B. 500: 722.
S. B. 406: 722.

ENROLLED BILLS—COMMITTEE ON.
Report on S. B. 300: 722.
S. B. 496: 722.
S. B. 479: 722.
S. B. 476: 722.
S. B. 493: 722.
S. B. 494: 722.
S. B. 393: 722.
S. B. 242: 722.
S. B. 417: 722.
S. B. 260: 722.
S. B. 437: 722.
S. J. R. 8: 722.
S. C. R. 49: 722.
S. B. 200: 722.
S. B. 470: 722.
S. B. 481: 723.
S. B. 485: 723.
S. B. 448: 723.
S. B. 139: 723.
S. B. 259: 727.
S. B. 445: 728.
S. B. 487: 728.
S. B. 389: 728.
S. B. 379: 728.
S. B. 490: 728.
S. B. 449: 728.
S. B. 410: 728.
S. B. 497: 728.
S. B. 420: 728.
S. B. 514: 750.
S. B. 288: 750.
S. B. 516: 750.
S. B. 464: 750.
S. B. 517: 750.
S. B. 518: 750.
S. B. 361: 750.
S. B. 307: 751.
S. B. 197: 751.
S. B. 502: 751.
S. B. 390: 751.
S. B. 474: 751.
S. B. 507: 751.
S. B. 398: 751.
S. B. 431: 751.
S. B. 51: 651.
S. B. 491: 751.
S. B. 515: 751.
S. B. 413: 751.
S. B. 269: 751.
S. B. 503: 751.

ENROLLED BILLS—COMMITTEE ON.
Report on S. B. 429: 752.
S. B. 469: 759.
S. B. 385: 752.
S. B. 483: 752.
S. B. 499: 752.
S. B. 469: 752.
S. B. 495: 752.
S. B. 157: 752.
S. B. 401: 752.
S. B. 504: 752.
S. B. 505: 752.
S. B. 508: 752.
S. B. 478: 752.
S. B. 430: 752.
S. B. 328: 752.
S. B. 506: 753.
S. B. 373: 753.
S. B. 70: 757.
S. B. 509: 758.
S. B. 466: 758.
S. B. 192: 758.
S. B. 347: 758.
EVANS, GEORGE S. Appeared and qualified, 5.
Resolution relative to a joint convention, 21.
Resolution relative to furnishing newspapers to members, 21.
Act to repeal five per cent subsidy Act, 33.
Act to fix salary of County Judge of San Joaquin, 127.
Resolution relative to pay of porters, 135.
Act authorizing appointment of Reporter of County and Probate Courts of San Joaquin County, 169.
Act to provide for assessment of incumbered real estate, 198.
Act fixing salary of County Judge of San Joaquin County, 199.
Act to provide for deficiency in Insane Asylum appropriation, 213.
Resolution inquiring concerning printing and absence of S. B. 99: 214.
Joint Resolution relative to arms issued to State by United States Government, 245.
Act declaring San Joaquin River and Stockton Slough navigable, 265.
Act concerning the military of California, 284.
Act for the protection of game, 307.
Act to furnish arms for use of military acadamies in the State, 313.
Act in relation to proceeding in criminal cases, 363.
Resolution amending Senate Standing Rules, 399.
Act to enable Stockton to redeem its bonds falling due during the year 1873: 413.
Act to provide for payment of expenses in construction of new armory, etc., 421.
Act to empower the City of Stockton to fund its school debt, etc , 479.
Act in relation to school property adjacent to Stockton, 480.
Resolution relative to enrollment of Code of Civil Procedure, 480.
Act authorizing Supervisors to appropriate money for benefit of San Joaquin Agricultural Society, 512.
Act concerning the State Military, 538.

EVANS, GEORGE S. Act to reincorporate Stockton City, 595.
Resolution relative to night sessions, etc., 648.
Concurrent Resolution relative to Report of Commissioner on Lunacy, 643.
Concurrent Resolution relative to correcting S. B. 454: 654.
Act proposing amendments to State Constitution, 732.
Resolution relative to extra pay for clerks at desk, 746.

F

FARLEY, JAS. T. Appeared and took his seat, 5.
Chosen President pro tem, 8.
Resolution relative to pay of Chaplain, 124.
Act to encourage investment of foreign capital in the State, 127.
Resolution relative to Spanish translation of laws, 138.
Act to legalize payments on certain school lands, 169.
Act changing time for holding County and Probate Court of Amador, 275.
Act to establish a Penal Code, 297.
Act relating to criminal proceedings, 319.
Act to authorize Board of Supervisors of Amador to levy an additional tax for county expenditures, 363.
Act for relief of W. B. Norman and A. C. Bradford, 386.
Act to provide for construction of a public road in Amador County, 449.
FEDERAL RELATIONS. Appointment of Committee on, 119.
Report on A. J. R. 4: 250.
S. J. R. 2: 250.
A. B. 49: 250.
A. J. R. 20: 616.
A. J. R. 30: 616.
A. J. R. 16: 616.
A. J. R. 28: 616.
A. J. R. 29: 616.
A. J. R. 13: 616.
S. J. R. 6: 616.
A. J. R. 21: 652.
A. J. R. 18: 652.
S. B. 422: 720.
FINANCE. Appointment of Committee on, 119.
Report on S. B. 30: 183.
S. B. 48: 183.
S. B. 48: 206.
S. B. 98: 222.
A. B. 60: 222.
A. B. 166: 242.
S. B. 120: 243.
S. B. 281: 382.
S. B. 336: 438.
S. B. 175: 438.
A. B. 233: 438.
S. B. 237: 438.
S. B. 299: 453.
A. B. 233: 485.

FINANCE—COMMITTEE ON.
Report on S. B. 390: 541.
A. B. 336: 541.
A. B. 438: 556.
S. B. 403: 592.
A. B. 224: 592.
A. B. 487; 592.
A. B. 134: 615.
A. B. 436: 624.
A. B. 478: 624.
A. B. 224: 624.
S. B. 453: 651.
A. B. 524: 651.
A. B. 450: 651.
A. B. 487: 654.
A. B. 461: 664.
A. B. 736: 740.
Report on Report of Hospital Committee, 748.
FINNEY, S. J. Appeared and qualified, 5.
Resolution to furnish postage stamps to members, 33.
Report in Joint Convention to canvass votes cast for Governor and Lieutenant Governor, 97.
Act to fix salary of County Judge of San Mateo, 127.
Act to compel education of children, 134.
Act concerning distribution of Reports of Geological Survey, 158.
Act to regulate elections, 158.
Concurrent Resolution relative to establishment of a National Bureau of Education, 159.
Act to provide a system of common schools, 235.
Act to provide revenue for support of government of this State, 235.
Act to compensate Curtis H. Lindley for services rendered Revision Commission, 245.
Senate Concurrent Resolution relative to public lands, 245.
Act defining the rights of husband and wife, 258.
Act in relation to compensation of officers, and reduction of public expenses and taxation in the County of San Mateo, 283.
Act to authorize and require Santa Cruz to pay over certain school moneys to certain school districts in San Mateo, 297.
Act concerning roads and highways in San Mateo County, 390.
Act to provide funds for improvement of highways in San Mateo County, 390.
Resolution relative to daily recess, 397.
Resolution relative to return of A. B. 622: 671.
Act authorizing Supervisors of San Mateo County to settle certain claims, 691.
FOWLER, THOMAS. Appeared and took his seat, 5.
Resolution relative to appointment of Assistant Clerk at desk, 131.
Resolution relative to purchase of Hittell's Digest for committees, 132.
Report of Committee on Public Lands on S. R. 1: 153.
Act to prevent libelous publications, 158.
Act authorizing certain parties to construct booms on Kings' River, 525.
Act concerning the taxation of live stock, 562.
Resolution relative to adjournment, 574.

FOWLER, THOMAS. Act to regulate salary of Judge of Sixteenth Judicial District, 660.
Resolution relative to additional pay for Assistant Sergeant at Arms, 716.

G

GARRATT, W. T. Appeared and qualified, 5.
Resolution relative to payment of newspapers, 131.
Act in relation to pawnbrokers, 134.
Act proposing amendment to State Constitution, 134.
Granted leave of absence, 137.
Petition relative to amending State Constitution, 143.
Act to provide for and regulate street sprinkling in San Francisco, 258.
Act in relation to street work in San Francisco, 275.
Act to provide for payment of certain coupons upon bonds of this State, 283.
Act to add an additional section to the Penal Code, 363.
Act to regulate the practice of pharmacy in San Francisco, 391.
Act authorizing Supervisors to supply San Francisco with pure water, 465.
Act for relief of certain parties holding school property on Market street, San Francisco, 480.
Act authorizing Supervisors of San Francisco to contract for a supply of pure fresh water, etc., 489.
Act supplemental to Act for survey and disposal of tide lands, etc., 550.
Act to confirm and ratify the sale of a certain franchise in San Francisco, 573.
Act for relief of John J. Conlin, 588.
Act to amend Act regulating fees of office, 619.
Act to supply San Francisco with water, 635.
GOODALE, D. Appeared and qualified, 5.
Concurrent Resolution relative to printing Report of Commissioner on Lunacy, 159.
Act to authorize Public Administrator of Contra Costa to act as Coroner, 269.
Act relating to Justices of the Peace and Constables in Contra Costa, 275.
Act in relation to civil cases in Courts of justice of this State, 283.
Act in relation to fund of school districts of Contra Costa, 312.
Act to provide for payment of deficiency in State Prison appropriation for twenty-third fiscal year, 396.
Act authorizing certain persons to construct weirs and traps in the Straits of Carquinez for purpose of catching fish, 413.
Act amendatory of Act to provide for building Court House and Jail in Marin County, etc., 413.
Act concerning roads and highways in Contra Costa, 634.
GWIN, WM. M. JR.,
Act concerning crimes and punishments, 346.
Act to provide for payment of general taxes in two installments, 573.
Act to provide for reissuing lost stock certificates of mining companies, 573.

H

HUTCHINGS, S. C. Appeared and took his seat, 5.
Report on A. B. 73: 213.
Act relating to indebtedness of Levee District No. 5, in Sutter, 275.
Act in relation to pawnbrokers and pledgees, 368.

I

IRWIN, WILLIAM. Appeared and took his seat, 5.
Concurrent Resolution relative to notifying the Governor of organization of Legislature, 20.
Resolution relative to pay of attachés, 20.
Report concerning pay of attachés, 31.
Report of committee to inform Governor of organization of Legislature, 33.
Resolution to pay attachés of last Senate, 96.
Amendment to Constitution, 117.
Resolution relative to procuring committee rooms, 120.
Resolution relative to reference to committee of Governor's Message, 135.
Act in relation to claim of James E. Carr against Siskiyou County, 194.
Report of Siskiyou delegation on S. B. 102: 202.
Resolution relative to copying Journals of Senate, 209.
Concurrent Resolution for appointment of porter for Code Committee, 220.
Act to prevent destruction of forests by fire, 230.
Act for encouragement of agriculture and other industries, 265.
Act relating to School Funds of Siskiyou County, 265.
Act concerning additional funds for support of common schools in Siskiyou County, 413.
Act to establish a Political Code, 489.
Act authorizing the transfer of the Indian Fund of Siskiyou County to the School Fund thereof, 512.
Act in relation to State Printer, 512.
Act to define the duties and fix the compensation of State Printer, 512.
Act putting into immediate effect certain parts of the Political and Penal Codes, 523.
Act authorizing a special tax in Siskiyou and Klamath Counties for construction of a certain wagon road, 581.
Act to authorize Supervisors of Monterey to submit to the qualified electors thereof the question of a division of the county, 634.
Resolution relative to night sessions, 648.
Act exempting certain counties from certain provisions of an Act to put into effect certain parts of the Codes, 673.
Act appropriating money to pay certain expenses on Governor's Mansion and State Capitol, 673.
Act authorizing Supervisors of Siskiyou County to pay claim of Presley A. Dorris, 738.
Act to repeal certain statutes, 740.
Concurrent Resolution relative to printing Report of State Agricultural Society, 747.

J

JUDICIARY. Appointment of Committee on, 119.
Member added to, 125.
Report of, 133.
Report on A. B. 81: 164.
S. B. 17: 165.
S. B. 28, 1, 7, 22: 165.
S. B. 47: 166.
S. B. 43: 166.
S. B. 60: 166.
A. B. 26: 166.
S. B. 16: 166.
S. B. 2: 166.
A. B. 78: 166.
S. B. 8: 166.
S. B. 34: 166.
A. B. 25: 166.
S. C. R. 6: 166.
S. B. 5: 166.
S. B. 66: 172.
A. B. 18: 172.
S. B. 72: 173.
S. B. 71: 173.
S. B. 24: 178.
S. B. 17: 188.
S. B. 71: 189.
S. B. 86: 189.
S. B. 75: 189.
S. B. 85: 198.
S. B. 90: 198.
S. B. 88: 198.
S. B. 23: 198.
S. B. 97: 199.
S. B. 99: 199.
A. B. 56: 213.
S. S. B. 87: 213.
S. B. 109: 213.
S. B. 118: 223.
S. B. 129: 223.
A. B. 148: 223.
S. B. 86: 223.
S. B. 74: 223.
S. B. 119: 223.
S. B. 125: 223.
S. B. 21: 223.
A. B. 294: 393.
A. B. 278: 393.
A. B. 151: 393.
A. B. 266: 394.

JUDICIARY—COMMITTEE ON.
Report on S. B. 152: 262.
S. B. 157: 262.
A. B. 114: 262.
S. B. 118: 262.
A. B. 126: 262.
A. B. 195: 262.
A. B. 128: 262.
A. B. 67: 262.
A. B. 118: 262.
S. B. 124: 262.
S. B. 56: 293.
S. B. 149: 293.
S. B. 157: 293.
S. B. 161: 293.
S. B. 178: 294.
S. B. 167: 294.
S. B. 151: 294.
S. B. 216: 309.
A. B. 5: 309.
A. B. 2: 309.
S. B. 227: 341.
S. B. 99: 341.
S. B. 231: 341.
S. B. 44: 341.
S. B. 144: 341.
A. B. 205: 341.
S. B. 207: 341.
S. B. 205: 341.
S. B. 199: 341.
A. B. 194: 342.
A. B. 240: 342.
S. B. 219: 342.
S. B. 217: 342.
S. B. 165: 342.
A. B. 204: 342.
S. B. 265: 394.
S. B. 275: 394.
S. B. 268: 394.
S. B. 75: 394.
S. B. 103: 394.
S. B. 180: 439.
S. B. 253: 452.
S. B. 303: 452.
S. B. 274: 452.
S. B. 327: 452.
S. B. 311: 452.
A. J. R. 8: 452.
S. B. 339: 452.
S. B. 340: 452.
A. B. 282: 452.

JUDICIARY—COMMITTEE ON.
Report on S. B. 187: 394.
S. B. 244: 394.
S. B. 9: 394.
S. B. 223: 394.
S. B. 215: 394.
A. B. 130: 394.
A. B. 132: 249.
A. B. 116: 249.
A. B. 92: 249.
S. B. 101: 249.
S. B. 143: 262.
S. B. 135: 262.
A. B. 169: 262.
A. B. 353: 474.
A. B. 485: 474.
S. B. 189: 474.
A. B. 234: 474.
A. B. 133: 474.
S. B. 190: 474.
A. B. 8: 474.
A. B. 188: 475.
A. B. 287: 475.
A. B. 316: 500.
S. B. 371: 500.
A. B. 196: 500.
A. B. 120: 500.
S. B. 270: 500.
S. B. 367: 500.
A. B. 112: 500.
A. B. 276: 500.
S. B. 369: 500.
A. B. 402: 500.
A. B. 279: 500.
A. B. 265: 500.
S. B. 354: 501.
A. B. 541: 524.
A. B. 415: 529.
S. B. 304: 530.
S. B. 307: 530.
S. B. 357: 530.
A. B. 84: 530.
A. B. 125: 230.
A. B. 426: 530.
A. B. 447: 530.
A. B. 489: 530.
S. B. 384: 530.
A. B. 446: 530.
A. B. 528: 543.
S. B. 300: 543.
S. B. 379: 543.

JUDICIARY—COMMITTEE ON.
Report on A. B. 433: 543.
A. B. 509: 543.
A. B. 324: 543.
A. B. 493: 543.
A. B. 387: 543.
S. B. 410: 543.
S. B. 397: 543.
A. B. 418: 543.
A. B. 216: 568.
A. B. 489: 568.
A. B. 305: 570.
S. B. 19: 583.
A. B. 99: 584.
A. B. 499: 584.
S. B. 440: 584.
S. B. 446: 584.
A. B. 519: 584.
S. B. 433: 584.
S. B. 59: 584.
S. B. 415: 584.
S. B. 429: 584.
A. B. 212: 584.
S. B. 428: 584.
S. B. 438: 584.
S. B. 442: 584.
S. B. 445: 584.
A. B. 344: 584.
A. B. 594: 604.
A. B. 613: 604.
A. B. 348: 604.
S. B. 381: 604.
A. B. 581: 604.
A. B. 529: 604.
S. B. 364: 604.
S. B. 435: 604.
S. B. 299: 604.
S. B. 62: 625.
S. B. 35: 625.
A. B. 656: 625.
A. B. 534: 625.
S. B. 457: 625.
A. B. 492: 625.
S. B. 6: 625.
A. B. 139: 625.
A. B. 536: 625.
A. B. 577: 625.
S. B. 50: 626.
S. B. 11: 626.
S. B. 37: 626.
S. B. 186: 626.

JUDICIARY—COMMITTEE ON.
Report on A. B. 193: 226.
S. B. 486: 653.
A. B. 675: 653.
A. B. 701: 653.
A. B. 726: 653.
A. B. 442: 653.
S. B. 326: 653.
A. B. 622: 653.
S. B. 484: 653.
A. B. 641: 703.
A. B. 431: 703.
A. B. 604: 703.
A. B. 187: 703.
A. B. 649: 703.
A. B. 707: 703.
A. B. 708: 703.
S. B. 392: 703.
S. B. 418: 703.
S. B. 488: 703.
A. B. 112: 703.
S. B. 362: 736.
S. B. 78: 736.
S. B. 96: 736.
S. B. 138: 736.
S. B. 243: 736.
S. B. 224: 736.
S. B. 246: 736.
S. B. 262: 736.
S. B. 278: 736.
S. B. 293: 736.
S. B. 306: 736.
S. B. 409: 736.
A. B. 200: 736.
A. B. 118: 736.
A. B. 253: 736.
A. B. 632: 736.
A. B. 192: 736.
A. B. 732: 736.
S. B. 669: 736.
A. B. 179: 736.
A. B. 625: 736.
A. B. 758: 736.
A. B. 690: 736.
A. B. 783: 736.

K

KENT, CHARLES. Appeared and qualified, 5.
Resolution relative to adjournment, 565.
KEYS, T. L. Appeared and qualified, 5.
Act to pay J. G. Jenkins for legal services, 157.

KEYS, T. L. Report on S. B. 77: 161.
Report on S. B. 63: 168.
Act for erection of Court House in Stanislaus County, 180.
Act to furnish office for Superintendent of Public Instruction of Stanislaus County, 186.
Act to amend Act dividing State into Judicial Districts, 194.
Act to provide for the appointment of a phonographic reporter in Stanislaus County, 208.
Act to grant the Stanislaus Bridge and Ferry Company the right to construct and maintain a bridge or bridges across Stanislaus River, 245.
Act concerning divorces, 245.
Act to promote agriculture, 290.
Act for the erection of a schoolhouse in Modesto School District, in Stanislaus County, 346.
Act to regulate the salary of County Treasurer of Stanislaus, 355.
Act to protect agriculture and to prevent trespassing of animals, 384.
Act to prevent trespasses in Fresno County, 385.
Act to promote irrigation, 413.
Act concerning proceedings in civil cases, etc., 413.
Act to provide for the establishment of a public highway and ferry on the San Joaquin River, in Stanislaus County, 413.
Act for the encouragement of irrigation, 413.
Act for relief of John L. Milner, Sheriff of Stanislaus, 413.
Act to provide further accommodation for the insane, etc., 449.
Act to protect public trails and footways in this State, 465.
Act concerning public ferries and toll bridges, 537.
Act to expedite settlement of title of land sold by State, 561.
Act for relief of persons holding certain certificates of purchase issued by Board of Tide Land Commissioners, 595.
Act supplemental to Act concerning construction of County Jail and Court House in Stanislaus County, 634.

L

LANDS. Appointment of Committee on Swamp, Overflowed, and Tide, 124.
Report on A. B. 33: 425.
S. B. 191: 624.
A. B. 505: 624.
S. B. 179: 624.
A. B. 636: 624.
S. B. 234: 624.
LARKIN, HENRY. Appeared and took his seat, 5.
Act amending Railroad Incorporation Act, 105.
Amendment to State Constitution, 105.
Resolution relative to maintenance of common schools, 117.
Act for payment of certain State indebtedness, 123.
Resolution relative to contingent expenses, 131.
Concurrent Resolution relative to State University, 131.
Resolution relative to appointment of Assistant Engrossing Clerk, 132.
Report of Committee on Contingent Expenses, 143.
Act for relief of Jared C. Brown, 190.

LARKIN, HENRY. Act authorizing guardian of F. D. and W. F. Montgomery to sell certain real estate, 213.
Act to appropriate money to pay Indian war bonds, 269.
Act to provide for a system of common schools, 319.
Act in relation to officers in El Dorado County, 329.
Act to provide revenue for support of government of this State, 339.
Act to regulate fees and salaries in El Dorado County, 660.
Resolution relative to purchase of postage stamps, 719.
Resolution relative to disposal of certain furniture, 738.
Resolution relative to allowing pay to Sergeant-at-Arms for certain arrests made by him, 759.

M

MACLAY, CHARLES. Appeared and took his seat, 5.
Resolution relative to Clerk for Committee on Corporations, 145.
Act amending Act concerning competitive scholarships in State University, 162.
Resolution to pay doorkeeper of Senate, 186.
Resolution to provide rooms for Committee on Corporations, 191.
Leave of absence granted, 198.
Act repealing Act concerning recording certain papers in Santa Clara County, 186.
Report on S. B. 129: 229.
Act in relation to the question of granting a subsidy, 312.
Act for relief of John J. McCreedy, 345.
Act to encourage silk culture and manufacture, 345.
Act for improvement and opening of Santa Clara and Saratoga Avenue in the County of Santa Clara, 346.
Act for the relief of Joseph S. Emery, 385.
Act authorizing payment of Eliza McLean for supplies furnished State Marine Hospital, 390.
Act amending Act incorporating City of Gilroy, 404.
Act amendatory of Act to provide for the improvement of parks in San Francisco, 405.
Act amendatory of Act to provide for erection of a City Hall in San Francisco, 405.
Act to provide for printing and distributing of Meredith's Great Register of the State of California, 479.
Concurrent Resolution relative to correcting S. B. 257: 490.
Act for relief of executors of Jacob Shumway, 512.
Act to open and improve Santa Clara and Saratoga Avenue, 525.
Resolution relative to adjournment, 574.
Act authorizing Charles Lyndall to sell real estate, 582.
Act concerning estrays in Santa Clara County, 595.
Act to encourage the production of silk, 608.
Resolution relative to appointing a mail carrier for Senate, 608.
Act concerning streams in Santa Clara County, 618.
Act to provide for opening and improving certain avenues in Santa Clara County, 635.
Act to refund indebtedness of Santa Clara, 635.

MACLAY, CHARLES. Act for relief of George F. Allardt, 635.
Act to legalize deeds of land in Santa Clara, 647.
Act authorizing Supervisors to pay certain moneys to the Sheriff in Santa Clara County, 671.
Act authorizing Supervisors of Santa Clara to pay certain moneys to County Clerk and Auditor, 691.
Resolution for extra pay to shorthand reporters, 742.
McCOY, JAMES. Appeared and qualified, 5.
Act confirming certain conveyances of lands in San Diego City, 105.
Act to fix salary of County Judge of San Diego, 127.
Act to cede certain lands to San Diego City, 127.
Concurrent Resolution instructing members of Congress in relation to making San Diego a port of entry, 131.
Concurrent Resolution concerning San Diego River, 132.
Report of San Diego delegation, 133.
Act for relief of the indigent sick, 162.
Act to provide for the government of San Diego City, 190.
Act to authorize issue of bonds by County of San Diego to erect buildings, 245.
Act concerning San Diego and Gila Southern Pacific and Atlantic Railroad Company, 346.
Act to appoint additional Notaries in San Diego County, 390.
Resolution in regard to Indian outrages in Arizona, 483.
McKUSICK, H. J. Appeared and qualified, 5.
Joint Resolution relative to restoring certain public lands to homestead preëmption, 124.
Act proposing amendment to State Constitution, 162.
Act for protection of game, 230.
Act in relation to the County Judges of the several counties of this State, 375.
Act providing for election of Treasurer and Tax Collector in El Dorado County, 458.
Act amendatory of Act reincorporating City of Placerville, 458.
Act concerning, regulating, and licensing places of public amusement, 504.
Act to provide for Public Administrators in certain cases, 537.
Act authorizing Supervisors of El Dorado to levy special tax, 647.
Act to put into effect parts of Civil Code, 660.
McMURRY, J. Appeared and qualified, 5.
Report of Committee on Contingent Expenses, 123, 143.
Report of Committee on Contingent Expenses on S. B. 26: 153.
Report of Committee on Contingent Expenses on copying Appendix to Journal, 153.
Act relating to duties and compensation of Clerk of Supreme Court, 163.
Act to pay expenses of suppressing Indian hostilities in Counties of Humboldt and Trinity in 1868–69: 251.
Act to fund Indian war indebtedness of California, 390.
Act fixing salary of Supervisors of Trinity County, 449.
Act appropriating money to pay contingent expenses of Legislature, 492.
Act amending Act regulating rights of owners of mines, 582.
Resolution relative to discharging mail carrier of Senate, 595.
Act to provide for incorporation of tramroads in Shasta County, 647.
Act appropriating money for contingent expenses of Legislature, 691.

MESSAGES FROM GOVERNOR. 34, 88, 94, 95, 125, 129, 153, 161, 174, 175, 189, 213, 218, 234, 257. 258, 263, 273, 282, 288, 296, 308, 318, 323, 335, 349, 381, 385, 388, 396, 419, 420, 427, 445, 446, 447, 462, 477, 502, 511, 518, 534, 535, 544, 576, 577, 581, 586, 594, 607, 617, 630, 641, 642, 667, 688, 707, 753, 755, 756, 757, 758.

MILEAGE. Appointment of Committee on, 106.

Report of, 121: 126.

Report on S. B. 248: 559.

Report on A. B. 480: 559.

MILITARY AFFAIRS. Appointment of Committee on, 124.

Report on S. B. 123: 250.

Report on S. B. 76: 250.

Report on S. B. 142: 250.

Report on S. B. 209: 425.

MINES AND MINING INTERESTS. Appointment of Committtee on, 119.

Additional members on, 124.

Report on A. B. 72: 510.

MINIS, WILLIAM. Appeared and took his seat, 5.

Act for relief of sufferers by diversion of American River, 162.

Granted leave of absence, 164.

Act authorizing Trustees of Woodland School District, Yolo County, to borrow money and give security for the same, 199.

Report on A. B. 100: 200.

Act to prevent duplicate sales of the same land, 265.

Act in relation to county records and County Clerk of Yolo, 265.

Act authorizing the Supervisors of Yolo County to approve and certify certain claims, 265.

Act to provide for management and sale of lands belonging to State, 269.

Act to restrict the herding of sheep, 275.

Act in relation to sale of lands belonging to the State, 319.

Act in relation to gaming, 324.

Act to legalize certain proceedings of Supervisors of Yolo County, 390.

Act amending Act to provide for management and sale of State lands, 430.

Act to establish meteorological stations in the various counties of the State, 449.

Act to incorporate the City of Vallejo, 459.

Act to restrict the hunting of game in Yolo County, 472.

Act in regard to Swamp Land District No. 18: 504.

Act to authorize Supervisors of Yolo to certify claims against Swamp Land District No. 18: 547.

Act in regard to Washington Drainage District, in Yolo, 561.

Act amending Act for management of certain State lands, 608.

Act concerning salt marsh and tide lands, 608.

Act for relief of Isaac Hobbs, ex-Sheriff of Solano County, 618.

Act empowering Trustees of Suisun to grade certain streets in the town, 635.

Act supplemental to Act to prevent trespass of animals upon private property, 647.

Resolution relative to speaking more than five minutes upon any bill, etc., 649.

Act to define boundary between Lake and Yolo Counties, 691.

N

NEFF, JACOB. Appeared and qualified, 5.
Act concerning public seals, 6.
Act to pay claim of E. L. Beard, 141.
Act concerning Notaries Public, 158.
Resolution relative to S. B. 55: 180.
Act for payment of certain claims in case of People vs. H. Smith, 204.
Act amending Act regulating fees and salaries of officers, 208.
Act to provide for payment of Indian War Bond No. 34: 230.
Act to register of police, seals and jurisdiction to Courts, 274.
Act to compensate the prosecutor of jury and grand in California, 324.
Act for the discharge of the Sabbath, 405.
Act relating relative to appointment, 406.
Act to regulate the rates of interest in this State, 547.
Act to regulate the rates of interest in this State, 593.
Concurrent resolution relative to appoint of Public Administrator, 646.
Act in relation to Political Code, 660.
Act in relation to fees of District Attorney in certain counties, 660.

O

O'CONNOR, M. P. Appeared and took his seat, 5.
Resolution relative to pay for porter, 105.
Granted leave of absence, 107.
Act to amend an Act concerning duties and pay of officers and members of Senate and Assembly, 108.
Resolution relative to copying Journals for State Printer, 139.
Resolution relative to giving Sergeant-at-Arms charge of Senate Hall, etc., 139.
Concurrent Resolution relative to disposing unsold Acts at State Capitol, 160.
Act fixing compensation of Sheriff in certain cases, 180.
Report on S. B. 132: 229.
Act to incur bills within the value of money, 270.
Act relative to salaries and pay of members of the Legislature, 320.
Act amending the time for commencing civil actions, 396.
Act in relation to the organization of cities, 574.
Act to establish the Institution of City and County of San Francisco, and to consolidate the government thereof, 674.
Act to provide a Supreme Court room and apartments for the officers of the Supreme Court, 696.
Act to provide for incorporation of insurance companies, etc., 479
Act amending Act regulating proceedings in civil cases, 592.
Act concerning fine and marshal in Nevada County, 602.
Resolution relative to adjourning Governor of proposed adjournment, 757.

OULTON, GEORGE. Appeared and qualified, 5.
Act proposing amendments to State Constitution, 104.
Granted leave of absence, 107.
Act creating the Nineteenth Judicial District, 150.
Resolution relative to election of United States Senator, 156.
Act concerning offices of Controller and Treasurer of State, 174.

OULTON, GEORGE. Granted leave of absence, 156.
Petition relative to California Labor Exchange, 171.
Concurrent Resolution relative to Indian war claims, 192.
Act amending Act relieving incumbered real estate from double taxation, etc., 180.
Act amending Act for formation of Savings and Loan Corporations, 180.
Act for relief of California Labor Exchange, 190.
Act concerning corporations, 190.
Act for payment of claim of Isidor Wormser, 203.
Act in relation to Coroners, 213.
Act amending Act for appointment, etc., of Notaries Public, 225.
Act to regulate the interest of money, 307.
Act in relation to six oil paintings for State Capitol, 336.
Act to regulate proceedings in criminal cases, 355.
Act to define boundary line between San Francisco and Alameda, 363.
Act relative to delivery and purchase of stationery and other articles by the Secretary of State, 363.
Concurrent Resolution relative to funeral of Chief Justice Sprague, 397.
Concurrent Resolution relative to payment of certain expenses connected with funeral of Chief Justice Sprague, 414.
Resolution relative to enrollment of Political Code, 494.
Resolution relative to pay of Willie Ormsby as Page, 528.
Act concerning District Court Reporters, 537.
Concurrent Resolution granting leave of absence to Lieutenant Governor Pacheco, 539.
Act authorizing the transfer to the General Fund of moneys in other Funds, and the return thereof, 546.
Act authorizing Board of Harbor Commissioners to reduce or abolish the rates of dockage, wharfage, and tolls, 618.
Act to authorize the Commissioners of Funded Debt of San Francisco to transfer certain funds, 647.
Act to enable San Francisco to conform to Code Revenue Law, 659.

P

PENDEGAST, W. W. Appeared and qualified, 5.
Resolution relative to appointment of Assistant Clerk at desk, 19.
Concurrent Resolution relative to inauguration of Governor and Lieutenant Governor, 20.
Report of Committee on Inauguration, 98.
Resolution appointing Committee on Mileage, 106.
Resolution to appoint Clerk for Sergeant-at-Arms, 106.
To appropriate money for contingent expenses of the Legislature, 128.
Resolution adding members to Committee on Corporations, 132.
Resolution relative to adjournment, 135.
Act for relief of Henry Kohn, 139.
Act to provide for the public printing, 154.
Resolution concerning heaters in Senate Chamber, 154.
Act concerning estrays in Counties of Napa, Solano, and Sonoma, 163.
Petition from grape growers, Sonoma, Napa, and Solano Counties, 171.
Resolution relative to Code Committee, 200.

PENDEGAST, W. W. Resolution relative to pay of Clerk for Sergeant-at-Arms, 200.
Amendment to Senate Rule 49: 205.
Act regulating proceeding in certain cases against physicians and surgeons, 208.
Act to protect agriculture in a part of Fresno County, 214.
Act to appropriate money for monument to ex-Governor John Bigler, 220.
Act respecting limitation of actions, 230.
Act for relief of John Harmon, 236.
Act to provide for compensating parties whose property may be destroyed in consequence of mobs or riots, 265.
Act to provide for payment of certain claims against Lake County, 275.
Act to provide for purchase of certain volumes of California Supreme Court Reports, 276.
Act to raise funds for improvement of Napa City, 290.
Act in relation to County and Probate Judges of this State, 299.
Act to provide for special road tax in Napa County, 320.
Act to define the Senatorial and Assembly Districts of this State and to apportion the representation thereof, 329.
Act to prevent the destruction of fish in the waters of Napa River and Sonoma Creek, 363.
Act to improve quality of fish in Clear Lake, 414.
Concurrent resolution relative to construction of a seawall and to provide for a place of refuge for coasting vessels, etc., 414.
Act concerning salary of District Attorney of Lake County, 449.
Act authorizing Mendocino County to issue bonds for construction of wagon roads, 458.
Act to establish a Code of Civil Procedure, 466.
Act concerning proceedings in civil cases, 472.
Act to provide for location of tow-paths along the banks of navigable streams, 480.
Act concerning the settlement of estates of deceased persons, 513.
Act for protection of fish and game, 537.
Act for propagating and planting lobsters and eels, 538.
Act to establish a Civil Code, 562.
Act concerning persons under sentence of imprisonment in County Jail in Napa County, 573.
Act authorizing Napa Ladies' Seminary to grant diplomas, 619.
Act concerning distribution of State Geological Reports, 635.
Resolution relative to night sessions, 648.
Act to put into effect certain parts of Political Code, 659.
Act to construct a bridge across Napa River, 671.
Act concerning Boards of Supervisors, 719.
Act in relation to the Political, Civil, and Penal Codes, 725.
Concurrent Resolution relative to enrollment of Act amending portions of Political, Civil, and Penal Codes, 739.
Joint Resolution relative to mail service between California and Japan, 743.
PERKINS, GEORGE C. Appeared and took his seat, 5.
Report of Committee on inaugural ceremonies, 102.
Resolution relative to expenses of inauguration, 106.
Report of Joint Committee on inauguration ceremonies, 117.
Act amending statute of limitations, 127.
Report of Committee on Claims on S. B. 38: 153.
Joint Resolution relative to passage of a Postal Telegraph bill by Congress, 163.

PERKINS, GEORGE C. Resolution relative to Report of Committee on Fisheries, 199.
Proposed amendments to the Constitution, 269.
Act for the formation of corporations for certain purposes, 339.
Act to authorize administratrix of Thomas McDaniel to borrow money to pay debts of estate, etc., 490.
Act for protection of School Fund of State, 691.
Resolution of thanks to phonographic reporters, 757.
PETITIONS. 128, 143, 153, 171, 179, 188, 206, 211, 216, 221, 222, 240, 248, 255, 261, 268, 272, 279, 287, 292, 320, 329, 372, 382, 392, 397, 400, 407, 419, 438, 476, 510, 534, 579.
PUBLIC BUILDINGS—OTHER THAN STATE PRISON. Appointment of Committee on, 119.
Report Resolution relative to hall leading to Senate, 164.
Resolution adding Jos. McCoy to committee, 203.
Report on A. B. 225: 395.
Report on S. B. 70: 452.
Report relative to construction of State Normal School, 466.
Report on S. B. 293: 466.
Report on A. B. 434: 516.
Report on S. B. 157: 517.
Report on University site, etc., 637.
Report on A. B. 461: 651.
Report on S. B. 251: 704.
PUBLIC LANDS. Appointment of Committee on, 119.
Report on S. C. R. 1: 153.
S. B. 74: 74.
S. B. 23: 23.
S. B. 287: 485.
A. J. R. 19: 530.
A. J. R. 27: 530.
S. B. 169: 637.
A. B. 603: 637.
A. B. 658: 664.
A. B. 593: 702.
PUBLIC MORALS. Appointment of Committee on, 124.
Report on S. B. 245: 475.
Report on S. B. 266: 475.
PUBLIC PRINTING. Appointment of Committee on, 124.
Report on S. B. 76: 179.
S. B. 49: 565.
S. B. 94: 566.
S. B. 391: 566.
A. B. 311: 566.
A. C. R. 26: 566.

R

REPORTS OF COMMITTEES. See several committees.
RESOLUTIONS. By Betge, relative to Standing Rules, 5.
By Wand, relative to election of officers, 8.
By Pendegast, relative to Assistant Clerk at desk, 19.
By Boggs, relative to appointment of Chaplain, 20.

RESOLUTIONS. By Beck, relative to informing Assembly of organization, 20.
By Irwin, relative to compensation of former attaches, 20.
By Evans, relative to furnishing newspapers to members, 21.
By Wand, relative to appointment of Doorkeeper, 32.
By Wand, relative to appointment of Watchman, 32.
By Wand, relative to appointment of Messenger, 32.
By Wand, relative to appointment of Paperfolder, 32.
By Wand, relative to appointment of Pages, 33.
By Wand, relative to appointment of Mail Carrier, 33.
By Wand, relative to appointment of Rear Porter, 33.
By Finney, relative to furnishing postage stamps to members, 33.
By Irwin, relative to payment of attachés of last Senate, 96.
By Wand, relative to adjournment, 105.
By Perkins, relative to expenses of inauguration, 106.
By Banvard, relative to adjournment, 106.
By Banvard, relative to additional pay for Porters, 106.
By Pendegast, relative to appointment of Committee on Mileage, 106.
By Pendegast, relative to Clerk for Sergeant-at-Arms, 106.
By Banvard, relative to pay for Porters, 107.
By Larkin, relative to maintenance of common schools, 117.
By Pendegast, relative to and appointing the several Standing Committees, 119.
By Banvard, relative to mileage, 123.
By Pendegast, relative to appointment of several Standing Committees, 124.
By Farley, relative to appropriation for writing up Appendix to Senate Journal, 128.
By Tompkins, relative to appointment of Clerk for Judiciary Committee, 128.
By Evans, relative to authorizing Sergeant-at-Arms to draw warrants of members from Controller, 128.
By Larkin, relative to appointing Messenger Porter, 128.
By Irwin, relative to committees reporting back bills, 129.
By Beck, relative to furnishing Secretary postage stamps, 129.
By McKusick, relative to furnishing members of Press with seats on floor of Senate, 129.
By Banvard, relative to allowance for expenses of Lieutenant Governor, 130.
By Garratt, relative to payment for newspapers, 131.
By Larkin, relative to contingent expenses, 131.
By Tuttle, relative to money for a monument to Senator Burnett, 131.
By Fowler, relative to appointment of Assistant Clerk at desk, 131.
By Van Ness, relative to furnishing clerks with postage stamps, 132.
By Larkin, relative to the appointment of an Assistant Engrossing Clerk, 132.
By Banvard, relative to appointment of day watchman for Senate, 132.
By Fowler, relative to purchase of Hittell's Digest for committees, 132.
By Pendegast, relative to adding members to Committee on Corporations, 132.
By Banvard, relative to additional pay for porters, 135.
By O'Connor, relative to pay for porter, 135.
By Evans, relative to printing Governor Haight's Message and Governor Booth's Inaugural Address, 135.
By Pendegast, relative to adjournment, 135.
By Irwin, relative to referring different portions of the Governor's Message to committees, 135.
By Dyer, relative to stationery for use of Senate, 137.

RESOLUTIONS. By Wilson, relative to Clerks for the Committees on Agriculture and Public Lands, 138.
By Farley, relative to committee to receive proposals for Spanish translation, 138.
By Comte, relative to appointing N. Benedict to copy Appendix to Journal, 145.
By Maclay, relative to Clerk for Committee on Corporations, 145.
By Pendegast, relative to keeping in order the heaters in Senate Chamber, 154.
By Neff, relative to insertion of enacting clause in S. B. 55: 180.
By Tuttle, relative to appointment of Clerk for Committee on Elections, 181.
By Maclay, relative to per diem of Assistant Doorkeeper, 186.
By Tuttle, relative to Congressional action for raising the weight of silver coin to the standard of 1850: 190.
By Tompkins, relative to procurement of Digest for Judiciary Committee, 191.
By Wand, relative to appointment of Clerk by San Francisco delegation, 191.
By Maclay, relative to procurement of rooms for Committee on Corporations, 191.
By Perkins, relative to printing Report of Commission on Fisheries, 199.
By Beck, relative to clerk for Committee on Public Buildings, 199.
By Pendegast, relative to adding J. T. Farley to Code Committee, 200.
By Betge, relative to adjournment, 200.
By Pendegast, relative to payment of Mardis, Clerk to Sergeant-at-Arms, 200.
By Tuttle, relative to amendment by Engrossing Clerk of S. B. 71: 203.
By Betge, relative to adding Jos. McCoy to Committee on Public Buildings, 203.
By Banvard, relative to appointment of Assistant Copying Clerk, 208.
By Comte, relative to copying Journals of Senate, 209.
By Irwin, relative to copying Journals of Senate, 209.
By Tompkins, relative to substitution of Van Ness for Tompkins on Code Committee, 211.
By Evans, relative to inquiry after S. B. 99: 214.
By Tuttle, relative to appointment of Assistant Engrossing Clerks, 214.
By Betge, relative to reports of Senate delegations, 230.
By Farley, relative to writing up Journal and Appendices, 236.
By Evans, relative to certain reports in possession of Controller, 236.
By Maclay, relative to appointment of Assistant Copying Clerk, 245.
By Maclay, relative to adjournment, 259.
By Minis, relative to trespass laws and no-fence laws, 266.
By Irwin, relative to Committee on Elections, 267.
By Comte, relative to allowing E. F. Boyle back pay, 313.
By Boggs, relative to adjournment, 315.
By Duffy, relative to paying for Sacramento Record, 346.
By Banvard, relative to Committee on Hospitals, 356.
By Evans, relative to adjournment, 364.
By Betge, relative to special order, 370.
By Neff, relative to adjournment, 379.
By Duffy, relative to adjournment, 386.
By Maclay, relative to adjournment in honor of Chief Justice Sprague, 387.
By Minis, relative to appointing Assistant Engrossing Clerk, 391.
By Pendegast, relative to funeral of Chief Justice Sprague, 391.
By Finney, relative to daily recess, 397.
By Evans, relative to amending Senate Standing Rules, 399.
By Tompkins, relative to adjournment, 442.

RESOLUTIONS. By Banvard, relative to compensation and mileage for State Prison Committee, 457.
By Neff, relative to adjournment, 460.
By Evans, relative to enrollment of Code of Civil Procedure, 480.
By Banvard, relative to payment for Placer Herald, 480.
By Comte, relative to expenses in contested election case, Flint vs. Beck, 480.
By McCoy, relative to Indian outrages in Arizona, 483.
By Beck, relative to payment of certain expenses on State Normal School, 490.
By Oulton, relative to enrollment of Political Code, 494.
By Banvard, relative to mileage for Committee on State Hospitals, 505.
By Comte, relative to adjournment, 505.
By Oulton, relative to pay of Willie Ormsby as Page, 528.
By Kent, relative to adjournment, 565.
By Fowler, relative to adjournment, 574.
By Maclay, relative to adjournment, 574.
By Oulton, relative to enrollment of Civil Code, 582.
By McMurry, relative to discharging Mail Carrier of Senate, 595.
By Maclay, relative to appointment of a Mail Carrier, 608.
By Van Ness, relative to adjournment, 635.
By Evans, relative to placing bills on file—special and general, 647.
By Irwin, relative to holding night sessions, etc., 648.
By Pendegast, relative to holding night sessions, etc., 648.
By Van Ness, relative to pay of Day Watchman, 649.
By Minis, relative to debates upon bills, 649.
By Comte, relative to buying portrait of ex-Governor John Bigler, 661.
By Finney, relative to return from Assembly of A. B. 622: 671.
By Fowler, relative to additional pay for Sergeant-at-Arms, 716.
By Larkin, relative to purchase of postage stamps, 719.
By ——, relative to attack made upon Hon. George S. Evans, 725.
By Betge, relative to suspension of Rule 15: 737.
By Larkin, relative to disposal of certain furniture, 738.
By Duffy, relative to pay of architects for services in Normal School investigations, 738.
By Maclay, relative to extra per diem for shorthand reporters, 742.
By Tuttle, relative to pay of Clerk of Committee on Education, 743.
By Banvard, relative to pay of Clerk to Finance Committee, 744.
By Duffy, relative to pay for lighting up Senate, etc., 744.
By Duffy, relative to pay for Postmaster of Senate, 745.
By Wilson, relative to extra pay for Journal Clerk of Senate, 746.
By Van Ness, relative to extra pay for Sergeant-at-Arms, 746.
By Tompkins, relative to appointment of Select Committee on Resolutions, 746.
By Committee, relative to extra pay for Doorkeeper, 748.
By O'Connor, relative to committee to inform Governor that Senate is about to adjourn, etc., 757.
By Perkins, relative to thanking phonographic reporters for their correct reports, 757.
By Larkin, relative to allowing Sergeant-at-Arms pay for certain arrests made by him, 759.

REVENUE. Appointment of Committee on State and County, 119.
Report on Act relating to compensation of Sheriffs, etc., 171.
Report on S. B. 82: 207.

REVENUE—COMMITTEE ON.
Report on S. B. 206: 409.
A. B. 223: 425.
S. B. 298: 425.
S. B. 279: 425.
S. B. 217: 425.
S. B. 219: 425.
S. B. 383: 550.
A. B. 460: 550.
A. B. 322: 550.
A. B. 281: 550.
A. B. 404: 567.
S. B. 431: 625.
ROADS AND HIGHWAYS. Appointment of Committee on, 121.
Report on S. B. 271: 402.
S. B. 296: 402.
S. B. 269: 402.
S. B. 165: 402.
A. J. R. 18: 402.
A. B. 282: 517.
S. B. 328: 517.
S. B. 362: 517.
A. B. 458: 517.
S. B. 400: 525.
A. B. 580: 603.
A. B. 507: 603.
A. B. 442: 603.
A. B. 134: 606.

S

STANDING COMMITTEES. Appointment of, 119.
See COMMITTEES ON.
STATE HOSPITALS. Appointment of Committee on, 120.
Report on S. B. 101: 217.
S. B. 127: 222.
A. B. 138: 626.
STATE LIBRARY. Appointment of Committee on, 124.
Report on S. B. 323: 617.
STATE PRISON AND PRISON BUILDINGS. Appointment of Committee on, 119.

T

TOMPKINS, EDWARD. Appeared and took his seat, 5.
Act enabling inhabitants of territory adjoining any city, etc., to annex the same thereto, 105.
Act relative to institutions for Deaf and Dumb and Blind, 130.
Report of Judiciary Committee, 133.
Petition relative to removal of county seat of Alameda County, 188.
Resolution relative to procuring copies of Digest, 191.
Act relating to revision of the laws, 175.
Act enabling Regents of University to secure certain lands, etc., 190.

TOMPKINS, EDWARD. Resolution to substitute Mr. Van Ness for Mr. Tompkins on Committee on Codes, 211.
Act to provide for payment of certain coupons upon lost State Bonds, 214.
Act to empower Probate Court of Santa Clara to rectify alleged error, 245.
Act to authorize construction of swing or drawbridge across San Antonio Creek, Alameda, 245.
Act in relation to removal of county seat of Alameda, 283.
Act to incorporate the Town of Alameda, 290.
Act to continue the Geological Survey of the State of California, 307.
Act for the restoration and preservation of fish in the waters of this State, 375.
Act concerning service of summons upon absent defendants by publication, 396.
Act to amend an Act to create and organize the University of California, 405.
Resolution relative to adjournment, 442.
Act amending Act incorporating Town of Brooklyn, etc., 465.
Act proposing amendments to State Constitution, 472.
Act supplemental to Act for endowment of University of California, 480.
Act concerning settlement of estates of deceased persons, 537.
Act to empower Trustees of Mountain View Cemetery to mortgage certain lands, 573.
Act amending Act for incorporation of railroad companies, 595.
Act amending certain section of Police Court Act of Oakland City, 608.
Concurrent resolution relative to appointment of three Commissioners to attend International Exhibition at Vienna, 619.
Resolution appointing select Committee on Resolutions, 746.
Resolution relative to approval of Journal of Senate, 748.

TURNER, H. K. Appeared and took his seat, 5.
Act to repeal the Act exempting mortgages from taxation, 105.
Act to legalize assessments in Sierra County, 158.
Act to repeal the five per cent subsidy Act, 158.
Act to reserve public lands for actual settlers, 214.
Act in relation to public roads and trails in Sierra County, 369.
Act concerning a certain road in Sierra County, 449.
Act in relation to county officers of Sierra, 512.
Act concerning Treasurer of Sierra, 513.
Act concerning roads and highways in Sierra, 513.
Act to protect fish in Sierra and Plumas, 582.

TUTTLE, B. F. Appeared and qualified, 5.
Act concerning Board of Education, Petaluma, 33.
Resolution relative to adjournment in respect to memory of Senator Burnett, 125.
Resolution appropriating money for monument for Senator Burnett, 131.
Report on engrossment, 133.
Act to punish adultery, 158.
Act to punish seduction, 158.
Act to prevent the sale of intoxicating liquor to minors, 162.
Petition relative to exempt firemen in Petaluma, 179.
Resolution relative to Clerk for Committee on Elections, 181.
Resolution relative to standard of silver coin, 190.
Act authorizing State Board of Examiners to invest moneys in county bonds, 203.
Act amending Act incorporating City of Petaluma, 203.
Act to authorize construction of a bridge in Petaluma City, 203.

TUTTLE, B. F. Resolution relative to amendment, by Engrossing Clerk, of S. B. 71: 203.
Resolution relative to appointment of Assistant Engrossing Clerks, 214.
Report of delegation on A. B. 94: 217.
Act amending Act concerning estray animals, 219.
Act to prevent trespassing of animals, 220.
Act to legalize street assessments and assessment rolls of Petaluma, 264.
Act to establish a college at Santa Rosa, Sonoma County, California, 290.
Act to reincorporate the Town of Santa Rosa, 331.
Act in relation to the Central Pacific Railroad, 369.
Act concerning fees and salaries in Sonoma County, 421.
Act amending Act to establish a State Normal School, 421.
Act to provide a system of common schools, 465.
Act providing for official survey of swamp, tide, and overflowed lands in Sonoma County, 546.
Act to reincorporate Town of Petaluma, 547.
Act supplemental to Act to incorporate Petaluma, 659.
Act to fix terms of County and Probate Courts, Sonoma County, 671.
Resolution relative to pay of Clerk of Committee on Education, 743.

V

VAN NESS, JAMES. Appeared and qualified, 118.
Resolution relative to furnishing postage stamps, 132.
Act fixing terms of County and Probate Courts of San Luis Obispo, 180.
Act legalizing grants of land in Town of Santa Barbara, 180.
Act to reincorporate Town of San Luis Obispo, 199.
Acts concerning roads in Santa Barbara and San Luis Obispo, 225.
Act authorizing Supervisors of Santa Barbara to build Court House and Jail in said county, 235.
Act to incorporate the Town of Santa Barbara, 245.
Act for relief S. R. J. Sturgeon, 251.
Act to provide Road Funds for Santa Barbara and San Luis Obispo, 265.
Act concerning estrays in Santa Barbara and San Luis Obispo, 276.
Act in relation to the indebtedness of San Luis Obispo, 297.
Act in relation to fees and salaries of officers in San Luis Obispo, 297.
Act in relation to phonographic reporter, 298.
Act in relation to compensating officers, providing for funding floating debt, Santa Barbara, and to prohibit the contracting of indebtedness, 368.
Act to regulate proceedings in civil cases, 391.
Act to prevent extortion in office and enforce official duty, 391.
Act to amend Act to provide for issuance of county bonds by County of San Luis Obispo, to erect county buildings, etc., 405.
Act authorizing the transcribing of certain records in San Luis Obispo, 430.
Act authorizing Supervisors of San Luis Obispo to allow claim of M. B. Harrison, 430.
Act concerning roads in Santa Barbara and San Luis Obispo, 465.
Act concerning reincorporation of San Luis Obispo, 512.
Act authorizing erection of Court House and Jail in Santa Barbara, etc., 512.
Act concerning supplying the Town of Santa Barbara with fresh water, 561.

VAN NESS, JAMES. Act concerning issuing bonds by San Luis Obispo County to erect county buildings, 573.
Act to provide for introduction of good pure water into San Luis Obispo Town, 608.
Resolution relative to adjournment, 635.
Resolution relative to pay of Day Watchman, 649.
Resolution relative to extra pay for Sergeant-at-Arms, 746.

W

WAND, T. N. Appeared and took his seat, 5.
Resolution relative to election of officers, 8.
Resolution relative to adjournment, 105.
Act to create a Board of Public Works for San Francisco, 124.
Act regulating primary elections in San Francisco, 127.
Act relative to certain State indebtedness, 130.
Act amending Quarantine Act of San Francisco, 134.
Act for relief of James M. Kane, 139.
Resolution appointing Assistant Journal Clerk of Senate, 139.
Petition for repeal of Montgomery Avenue Act, 153.
Report on A. B. 1: 168.
Report on A. C. R. 6: 168.
Resolution for appointment of Clerk to San Francisco delegation, 191.
Act legalizing certain street contracts in San Francisco, 180.
Act conferring additional powers on Supervisors of San Francisco, 186.
Act to provide for indigent Chinese, Mongolians, etc., 194.
Act to appropriate money to pay Indian war bonds, 236.
Act for relief of James H. Clarke, 258.
Act to create Board of Public Works in San Francisco, 265.
Act for relief of Michael Conniff, 265.
Act to promote and encourage immigration to California, 265.
Act to provide for State Reformatory at San Quentin, 275.
Proposed amendment to the Constitution of this State, 275.
Act to regulate the social evil in San Francisco, 290.
Act in relation to certain street work in San Francisco, 324.
Act to change the name of Front Street, Mission and Ocean Railroad Company, 346.
Act in relation to Board of Supervisors in San Francisco and Auditor and Treasurer, 346.
Act in relation to licenses in City of San Francisco, 346.
Act authorizing Board of Supervisors of San Francisco to open and grade certain streets in said city, 346.
Act in relation to the erection and construction of waterworks in San Francisco, 386.
Concurrent Resolution for compensating Clerk to Joint Committee on State Prison, etc., 457.
Act to add another section to the Penal Code, 504.
Act to repeal Act granting certain powers to Supervisors of San Francisco, 547.
Act appropriating money to assist Aerial Steam Navigation Company of California, 618.
Act to provide for paving the streets in San Francisco, 635.
Act authorizing Assessor of San Francisco to appoint deputies, 691.

WILSON, B. D. Appeared and took his seat, 5.
Act to repeal Litigant Act, 105.
Act to amend Practice Act, 127.
Act to amend Act in relation to personal mortgages, 127.
Act for preservation of mocking birds in Los Angeles County, 128.
Resolution relative to Clerks for Committees on Agriculture and Lands, 138.
Report on S. B. 27: 188.
Act authorizing a telegraph between Los Angeles and Wilmington, 199.
Act creating Board of Education in Los Angeles City, and for issuance of city bonds for school building purposes, 199.
Act to incorporate the Town of Wilmington, 203.
Act for relief of James T. Burns, 208.
Act authorizing holding of special terms of Court, 269.
Act to prevent hunting and shooting on private grounds in Alameda and San Mateo Counties, 324.
Act concerning incorporation of Town of Wilmington, Los Angeles County, 523.
Act authorizing construction of bridges across Los Angeles River, etc., 523.
Resolution relative to extra pay for Journal Clerk, 746.
WING, STEPHEN. Appeared and took his seat, 5.
Act to amend Act in relation to lands granted by Congress to incorporated cities and towns, 127.
Act to establish boundary line of Sonoma City, 128.
Act authorizing Supervisors of Inyo to sell real estate, 137.
Act for indexing names of persons wishing to become citizens, 180.
Report of Tuolumne delegation on S. B. 39: 202.
Act to pay for services rendered State by D. W. Murphy, 220.
Act granting right of way from Owens Lake to Los Angeles, 269.
Act to abolish the office of Public Administrator in Tuolumne and Santa Barbara, 284.
Act in relation to a Fire Department Fund in Sonoma, 284.
Act in relation to toll roads within the State of California, 369.
Act concerning roads and highways in the County of Tuolumne, 369.
Act to define boundary line between Inyo and Mono Counties, 404.
Act to authorize the issue of bonds to erect county bridges and buildings in Inyo, 404.
Act for relief of Charles Tupper, 465.
Act for payment of certain equitable claims against the State, 523.
Act to protect growing crops in Inyo County, 581.

INDEX TO SENATE BILLS.

SENATE BILLS.

Number.....	TITLE.	Introduced.....	Passed Senate..	Passed Assembly.....
1	An Act to repeal an Act entitled an Act to empower the Board of Supervisors of the several counties of the State to aid in the constructing of a railroad in their respective counties, approved April fourth, eighteen hundred and seventy. Evans.....	33		
2	An Act to amend an Act entitled an Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to the town lands granted to the unincorporated towns in this State, by the Act of Congress entitled an Act for the relief of the inhabitants of cities and towns upon the public lands, approved March second, eighteen hundred and sixty-seven, approved March thirtieth, eighteen hundred and sixty-eight. Neff.....	33		
3	An Act to establish and define the powers and duties of the Board of Education of the City of Petaluma. Tuttle.....	33	126	144
4	An Act concerning section eleven of an Act to protect agriculture and to prevent the trespassing of animals upon private property, approved March twenty-sixth, eighteen hundred and sixty-six. Duffy.....	33		
5	An Act to amend an Act entitled an Act to provide for the incorporation of railroad companies and the management of the affairs thereof and other matters relating thereto, approved May twenty, eighteen hundred and sixty-one. Larkin.....	105		
6	Proposed amendment to the Constitution of the State of California. Larkin.....	105		
7	An Act to repeal an Act entitled an Act to protect litigants, approved March twenty-ninth, eighteen hundred and seventy. Wilson.....	105		

SENATE BILLS.

Number	TITLE.	Introduced	Passed Senate..	Passed Assembly
8	An Act to enable the inhabitants of territory adjacent to any city in this State to annex the same thereto. Tompkins	105	186	244
9	An Act to repeal an Act entitled an Act to prevent double taxation, approved April first, eighteen hundred and seventy. Also, an Act entitled an Act to relieve owners of encumbered real estate from double taxation, approved April fourth, eighteen hundred and seventy. Turner	105		
10	An Act to legalize, ratify, and confirm deeds of conveyance and grants of land made by the municipal authorities of San Diego. McCoy	105	299	389
11	Proposed amendments to the Constitution of the State of California. Irwin	105		
12	An Act to provide for the payment of certain indebtedness against the State. Larkin	127	126	144
13	An Act to create a Board of Public Works in the City and County of San Francisco. Wand	127		
14	An Act to fix the salary of the County Judge of San Mateo County. Finney	127		
15	An Act to create the office and define the duties of State Forester, and to encourage the culture of forest and timber trees. Betge	127		
16	An Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice of this State, passed April twenty-ninth, eighteeen hundred and fifty-one. Wilson	127		
17	An Act to fix the salary of the County Judge of the County of San Joaquin. Evans	127		
18	An Act to fix the salary of the County Judge of the County of San Diego. McCoy	127		
19	An Act to cede certain lands to the City of San Diego. McCoy	127	673	
20	An Act to regulate the elections of voluntary political associations and parties in the City and County of San Francisco, and to secure a fair expression of the choice of such associations and parties in the nomination of candidates. Wand	127		
21	An Act to encourage the investment of foreign capital in the State of California. Farley	127		
22	An Act to amend an Act entitled an Act defining the time for commencing civil actions. Perkins	127		
23	An Act to amend an Act entitled an Act to authorize and direct the municipal authorities of the several cities and incorporated towns of this State to execute certain trusts			

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
	in relation to the town lands granted to the incorporated cities and towns in this State by the Act of Congress entitled an Act for the relief of the inhabitants of cities and towns upon the public lands, approved March second, eighteen hundred and sixty-seven, approved March twenty-fourth, eighteen hundred and sixty-eight. Wing	127	220	428
24	An Act to amend Section 495, Chapter LIX, to regulate civil proceedings in civil cases in the Courts of justice in this State, approved April twenty-ninth, eighteen hundred and fifty-one. Wilson	127		
25	An Act to define and establish the boundary line of the City of Sonora. Wing	128	128	157
26	An Act to appropriate money for contingent expenses of the Legislature at its eighteenth session. Pendegast	128	155	205
27	An Act to prevent the destruction and capture of mocking birds in Los Angeles County in this State. Wilson	128	209	319
28	An Act to amend an Act in relation to personal mortgages in certain cases. Wilson	128		
29	An Act to provide for the ascertainment, liquidation, and payment of certain indebtedness of this State. Wand.	130		
30	An Act to provide for the Institution for the Deaf and Dumb and the Blind. Tompkins	130	201	219
31	An Act to authorize the District Attorney of Placer County to appoint a Deputy. Banvard	134	139	
32	An Act making appropriations for the payment of Wm. Sharp's bill of carpets, matting, etc., for new Capitol. Banvard	134	231	301
33	An Act to enforce the education of children. Finney	134		
34	An Act to amend an Act entitled an Act to define the duties and liabilities of pawnbrokers and pledgees. Garratt	134	187	244
35	Proposed amendments to the Constitution of the State of California. Oulton	134	731	
36	An Act amendatory of an Act entitled an Act to establish a quarantine for the bay and harbor of San Francisco, and sanitary laws for the City and County of San Francisco, approved April fourth, eighteen hundred and seventy. Wand	134		
37	Proposed amendments to the Constitution of the State of California. Garratt	134		
38	An Act making an appropriation for translating into Spanish the several State documents ordered translated during the eighteenth session of the Legislature of the State of California. Comte	134	160	

Number.....	TITLE.	Introduced.....	Passed Senate..	Passed Assembly.....
39	An Act to authorize and empower the Supervisors of the County of Inyo to sell certain real estate belonging to said county. Wing	137	226	264
40	An Act for the relief of Henry Kohn. Pendegast	139	204	399
41	An Act for the relief of James M. Kane. Wand	139	270	326
42	An Act to repeal an Act entitled an Act to incorporate the Town of Colusa, approved April fourth, eighteen hundred and seventy. Boggs	139		
43	An Act concerning the Police Court of the City and County of San Francisco. Oulton	139	201	289
44	An Act to create the Nineteenth Judicial District. Oulton	139	359	
45	An Act entitled an Act to regulate and provide for the maintenance and support of the San Francisco Labor and Employment Exchange. Finney			
46	An Act to appropriate money to pay the claim of E. L. Brown. Neff	145		
47	An Act to amend an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight. Boggs	145	170	535
48	An Act concerning offices of Controller and Treasurer of State. (Substitute.) Oulton	154	215	331
49	An Act to provide for the public printing in this State. Pendegast	154		
50	Proposed amendment to Section eight, Article I, of the Constitution of the State of California. De Haven	157		
51	An Act to compensate J. G. Jenkins for legal services rendered the State during the years eighteen hundred and sixty-eight and eighteen hundred and seventy, under the Act of Congress to quiet land titles in the State of California, approved July twenty-third, eighteen hundred and sixty-six. Keys	157	650	728
52	An Act to punish adultery. Tuttle	158	299	519
53	An Act to punish seduction. Tuttle	158	299	403
54	An Act to authorize the distribution of the Reports of the State Geological Survey. Finney	158	187	278
55	An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two. Neff	158	186	215
56	An Act to prevent libelous publications. Fowler	158		

Number	TITLE.	Introduced	Passed Senate..	Passed Assembly
57	An Act to amend an Act entitled an Act fixing the number of officers and employés of the Senate and Assembly, to define their duties, to establish their pay, approved May twentieth, eighteen hundred and sixty-one. O'Connor.....	158		
58	An Act to regulate elections. Finney.....	158		
59	An Act to legalize the assessment of taxes for the years eighteen hundred and sixty-nine, eighteen hundred and seventy, and eighteen hundred and seventy-one, in the County of Sierra. Turner.....	158	608	643
60	An Act to amend an Act entitled an Act concerning attorneys and counselors at law, approved February nineteenth, eighteen hundred and fifty-one. Comte.....	158	187	215
61	An Act to repeal an Act entitled an Act to empower the Board of Supervisors of the several counties of the State to aid in the construction of a railroad in their respective counties, approved April twentieth, eighteen hundred and seventy. Turner.....	158	187	282
62	Proposed amendment to Section second, Article fourth, of Constitution of the State of California. McKusick.....	162	731	
63	An Act to protect the voters of this State. Banvard.....	162		
64	An Act to appropriate money for the relief of General John A. Sutter. Duffy.....	162	192	219
65	An Act to prevent the sale of intoxicating liquors to minors. Tuttle.....	162	299	435
66	An Act for the relief of sufferers from the diversion of the American River. Mimis.....	162		
67	An Act to amend an Act entitled an Act to provide for five competitive scholarships for the benefit of meritorious young men desirous of entering the State University, approved April first, eighteen hundred and seventy. Maclay.....	162	313	435
68	An Act for the relief of the indigent sick. McCoy.....	162	227	
69	An Act concerning estrays in the Counties of Napa, Solano, and Sonoma. Pendegast.....	163	432	571
70	An Act to provide additional ground for the State Capitol building in the City of Sacramento. Duffy.....	163	743	758
71	An Act to amend an Act entitled an Act relating to the duties and compensation of Clerk of the Supreme Court. McMurry.....	163	195	244
72	An Act amendatory of an Act entitled an Act to regulate the settlement of estates of deceased persons, passed May first, eighteen hundred and fifty-one, and amended May twelfth, eighteen hundred and sixty-one. Comte.....	163	191	244

SENATE BILLS.

Number	TITLE.	Introduced	Passed Senate..	Passed Assembly
73	An Act fixing the compensation of the Sheriffs of the several counties of this State in certain cases. O'Connor	163	220	370
74	An Act to legalize certain payments of money on account of the purchase of State school lands. Farley.....	169	229	331
75	An Act authorizing the appointment and prescribing the duties of a reporter for the County and Probate Courts of San Joaquin County. Evans.....	169	458	643
76	An Act to provide a State armory. Duffy.....	169		
77	An Act in relation to the revision of the laws. Tompkins..	175	175	179
78	An Act concerning the Board of Supervisors in the County of Sacramento. Duffy.....	180		
79	An Act to fix the terms of the County and Probate Courts of the County of San Luis Obispo. Van Ness.....	180	189	238
80	An Act to fix the salary of the Superintendent of Public Schools in the County of Monterey. Beck.....	180	421	478
81	An Act to legalize grants of land made by the Trustees of the Town of Santa Barbara. Van Ness.....	180		
82	An Act to provide for indexing the names of persons who have declared their intention to become or who have become citizens of the United States in the several Courts of record in this State. Wing.....	180	215	289
83	An Act to legalize, confirm, and make valid certain contracts on street work in the City and County of San Francisco, and all proceedings of the Board of Supervisors of said city and county relating to the same. Wand.....	180		
84	An Act to provide for the erection of a court house and jail in the County of Stanislaus. Keys.....	180	201	258
85	An Act concerning the attendance of physicians and to provide payment for making chemical and post-mortem examinations for Coroners and in Courts of justice. Duffy.....	180	220	302
86	An Act to amend an Act entitled an Act to relieve owners of incumbered real estate from double taxation, approved April fourth, eighteen hundred and seventy. Oulton.....	180		
87	An Act to amend an Act entitled an Act to provide for the formation of corporations for the accumulation and investment of funds and savings, approved April eleventh, eighteen hundred and sixty-two. (Substitute.) Oulton.....	180	221	302
88	An Act to repeal an Act entitled an Act providing for the recording of certain papers in Santa Clara County, approved April second, eighteen hundred and seventy. Maclay.....	186		

SENATE BILLS.

Number	TITLE.	Introduced	Passed Senate.	Passed Assembly
89	An Act to provide the County Superintendent of Public Instruction in the County of Stanislaus with an office. Keys	186	192	224
90	An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed April twentieth, eighteen hundred and fifty. Boggs	186	226	302
91	An Act to provide for the compulsory education of the youth of California. Betge	186		
92	An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof. Wand	186		
93	An Act in relation to the election of Members of the Senate and Assembly. Banvard	190		
94	An Act relative to State printing. Duffy	190		
95	An Act for the relief of Jared C. Brown, of the City and County of San Francisco. Larkin	190		
96	An Act to provide for the government of the City of San Diego. McCoy	190		
97	An Act to enable the Regents of the University of California to renew and secure certain lands, and to mortgage and sell certain real estate. Tompkins	190	204	263
98	An Act for the relief and support of the California Labor and Employment Exchange. Oulton	190	259	
99	An Act concerning corporations. Oulton	190	360	463
100	An Act to amend an Act to divide the State into Judicial Districts, approved April twenty-fifth, eighteen hundred and sixty-three. Keys	194		
101	An Act to provide for the care of indigent Chinese, Mongolians, and Japanese. Wand	194		
102	An Act in relation to the claims of James E. Carr against Siskiyou County. Irwin	194	204	219
103	An Act to provide for the assessment of incumbered real estate. Evans	194		
104	An Act to provide for the payment of certain witnesses in the case of The People vs. Horace Smith. Neff	194	469	
105	An Act authorizing a telegraph between Los Angeles and Wilmington, in Los Angeles County. Wilson	199	277	306
106	An Act creating a Board of Education for the City of Los Angeles, and authorizing the Common Council of that city to issue bonds for a special school building fund. Wilson	199	253	345

SENATE BILLS.

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
107	An Act to reincorporate the Town of San Luis Obisbo. Van Ness	199	253	326
108	An Act to authorize the Board of Trustees of Woodland School District, in Yolo County, to borrow money for certain purposes and give security for the same. Minis	199	371	
109	An Act fixing the salary of the County Judge of the County of San Joaquin. Evans	199	221	
110	An Act to provide for the payment of the claim of Isidor Wormser against the State of California. Oulton	203	237	301
111	An Act to authorize the State Board of Examiners to invest moneys derived from State school lands in the bonds of the several counties of this State. Tuttle	203	203	278
112	An Act to incorporate the Town of Wilmington, in Los Angeles County. Wilson	203	253	306
113	An Act to pay the claim of James T. Ryan for services rendered the State of California as Commissioner of War Bonds. DeHaven	203	246	273
114	An Act for the relief of George W. Reamer and his associates. Banvard	203	246	572
115	An Act amendatory of an Act entitled an Act to reincorporate the City of Petaluma, approved March twenty-seventh, eighteen hundred and sixty-eight. Tuttle	203	226	264
116	An Act to authorize the erection and maintenance of a bridge in the City of Petaluma. Tuttle	203	203	247
117	An Act to repeal an Act entitled an Act concerning roads and highways in the County of Placer, approved March twenty-ninth, eighteen hundred and seventy. Banvard	204	209	247
118	An Act amendatory of and supplementary to an Act entitled an Act to incorporate the Town of Eureka, approved April ninth, eighteen hundred and fifty-nine. DeHaven	208	271	403
119	An Act to provide for the appointment of a phonographic reporter in the County of Stanislaus. Keys	208		
120	An Act for the relief of James T. Burns. Wilson	208	254	303
121	An Act to amend an Act entitled an Act to regulate fees of officers and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy. Neff	208	208	331
122	An Act for the relief of Samuel Cross. Comte	208		
123	An Act to repay to the Sacramento Light Artillery Company certain moneys necessarily or purposely expended by it to maintain its efficiency as one of the military arms of the State. Comte	208		

SENATE BILLS.

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
124	An Act regulating proceedings in certain actions against physicians and surgeons. Pendegast	268		
125	An Act to authorize the guardian of Frederick D. Montgomery and William F. Montgomery to sell and convey certain real estate. Larkin	213		
126	An Act in relation to Coroners. Oulton	213	347	535
127	An Act to provide for the payment of deficiency in the State Insane Asylum appropriation of the twenty-third fiscal year, ending June thirtieth, eighteen hundred and seventy-two. Evans	213	252	302
128	An Act to reserve the public lands of this State for actual settlers. Turner	214		
129	An Act to provide for the payment of certain coupons upon bonds of the State of California that have been lost. Tompkins	214	232	
130	An Act to protect agriculture in a part of Fresno County. Pendegast	214		
131	An Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act concerning stray animals, passed April nineteenth, eighteen hundred and fifty-six, approved March twenty-eighth, eighteen hundred and fifty-nine. Tuttle	219	299	633
132	An Act to amend an Act entitled an Act to prevent the trespassing of animals upon private property, approved March thirty-first, eighteen hundred and fifty-five. Tuttle	220		
133	An Act to appropriate money for the erection of a monument to ex-Governor John Bigler. Pendegast	220	289	
134	An Act to appropriate money to pay for services rendered the State by D. W. Murphy. Wing	220		
135	An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public, defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two. Oulton	225	290	403
136	An Act concerning roads in the Counties of Santa Barbara and San Luis Obispo. Van Ness	225	297	331
137	An Act to prevent the destruction of forests by fire on public lands. Irwin	230	297	312
138	An Act to provide for the collection of delinquent school taxes in Colusa School District, in the County of Colusa. Boggs	230		
139	An Act to provide for the payment of the principal and interest on California Indian War bond Number Thirty-four. Neff	230	620	715

SENATE BILLS.

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
140	An Act to amend an Act entitled an Act for the protection of game, approved May thirteenth, eighteen hundred and fifty-four. McKusick	230	378	561
141	An Act for the relief of Jonas Speet. Boggs	230		
142	An Act for the relief of the Sarsfield Grenadier Guard of the City of Sacramento. Conte	230		
143	An Act to authorize the Board of Supervisors of Colusa County to levy a special tax. Boggs	230	271	315
144	An Act respecting the limitation of actions. Pendegast	230	230	478
145	An Act amendatory of and supplementary to an Act entitled an Act to amend an Act to provide a system of common schools, approved April fourth, eighteen hundred and seventy. Finney	235	387	
146	An Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one. Finney	235	360	
147	An Act to authorize the Board of Supervisors of Santa Barbara County to build a court house and jail in said county, to issue bonds of the said county for the construction thereof, and to provide for the payment of the same. Van Ness	235	235	274
148	An Act to appropriate money to pay certain outstanding Indian war bonds issued by the State of California under an Act of the Legislature approved May fifth, eighteen hundred and fifty-two, and Acts supplementary thereto. Wand	236		
149	An Act for the relief of John B. Harmon. Pendegast	236		
150	An Act to regulate rates of fares on street railroads in the City and County of San Francisco. Betge	245		
151	An Act to empower the Probate Court of the County of Santa Clara to rectify an alleged error in the matter of the estate of James Donahue. Tompkins	245	245	315
152	An Act supplemental to and amendatory of an Act entitled an Act to authorize the construction of a swing or drawbridge across the San Antonio Creek, in the County of Alameda, approved April fourth, eighteen hundred and seventy. Tompkins	245	270	301
153	An Act to compensate Curtis H. Lindley for services rendered the Revision Commission. Finney	245	348	435
155	An Act to amend an Act entitled an Act to grant the Stanislaus Bridge and Ferry Company the right to construct and maintain a bridge or bridges across the Stanislaus River. Keys	245	253	412

SENATE BILLS.

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
156	An Act to amend an Act entitled an Act concerning divorces from bed and board and from the bonds of matrimony, approved March twenty-fifth, eighteen hundred and fifty-one. Keys	245		
157	An Act concerning the Board of Supervisors. Beck	245	649	689
158	An Act to amend an Act entitled an Act to authorize the issue of bonds by the County of San Diego to erect county buildings, approved March twenty-ninth, eighteen hundred and seventy. McCoy	245	325	389
159	An Act to amend an Act to incorporate the Town of Santa Barbara, approved February tenth, eighteen hundred and sixty-four. Van Ness	245	254	289
160	An Act to pay the expenses necessarily incurred in suppressing the Indian hostilities in the Counties of Humboldt and Trinity in the years eighteen hundred and sixty-eight and eighteen hundred and sixty-nine. McMurry	251	349	454
161	An Act concerning the limitations of actions and proceedings in certain cases. Belge	251		
162	An Act to amend an Act entitled an Act to provide means for the government of the County of Santa Cruz and for the payment and funding of the debt of said County, approved January thirty-first, eighteen hundred and seventy. Beck	251	251	301
163	An Act for the relief of S. R. T. Sturgeon, late District Attorney of Santa Barbara County. Van Ness	251	277	331
164	An Act for the relief of James H. Clarke, late Health Inspector of the City and County of San Francisco. Wand	258		
165	An Act to empower the Roadmaster of Pajaro Road District, of Santa Cruz County, to construct and maintain a ditch through the lands of Henry Wiley, of said Road District. Beck	259	481	536
166	An Act to provide for and regulate the sprinkling of the streets of the City and County of San Francisco. Garratt	258	335	428
167	An Act to amend an Act entitled an Act defining the rights of husband and wife, passed April seventeenth, eighteen hundred and fifty, amended May twelfth, A. D. eighteen hundred and sixty-two. Finney	258		
168	An Act entitled an Act to legalize the street assessments and the assessment rolls of the City of Petaluma for the fiscal years eighteen hundred and seventy and eighteen hundred and seventy-one respectively. Tuttle	264		
169	An Act to prevent duplicate sales of the same land. Minis	265		

Number.....	TITLE.	Introduced.....	Passed Senate..	Passed Assembly.....
170	An Act for the encouragement of agriculture and other industries. Irwin	265	348	477
171	An Act declaring the San Joaquin River and the Stockton Slough navigable from and to certain points herein named. Evans	265	265	351
172	An Act to create a Board of Public Works in the City and County of San Francisco. Wand	265		
173	An Act relating to an Act to aid the Mercantile Library Association of the City and County of San Francisco in paying its indebtedness. Dyer	265		
174	An Act for the relief of Michael Conniff. Wand	265	314	389
175	An Act to promote and encourage immigration to the State of California. Wand	265		
176	An Act to provide Road Funds for the Counties of Santa Barbara and San Luis Obispo. Van Ness	265	271	306
177	An Act to provide for the transfer of the moneys and other assets in the Permanent School Fund of Siskiyou County to the General School Fund of said county. Irwin	265	265	301
178	An Act to separate the office of County Recorder from that of County Clerk in the County of Yolo, and to provide for the election of a County Recorder therein. Minis	265	324	
179	An Act to authorize the Board of Supervisors of Yolo County to prove and certify certain claims against Swamp Land District Number Eighteen. Minis	265		
180	An Act entitled an Act supplemental to an Act entitled an Act to provide for compensating parties whose property may be destroyed in consequence of mobs or riots, approved March twenty-seventh, eighteen hundred and sixty-eight. Pendegast	265	469	
181	An Act to appropriate money to pay the outstanding Indian War Bonds issued by the State of California under an Act of the Legislature approved May third, eighteen hundred and fifty-two, and Acts supplementary thereto. Larkin	269		
182	An Act to authorize the Public Administrator of Contra Costa County to act as Coroner. Goodale	269	277	389
183	An Act concerning official bond of Public Administrator of Contra Costa County. Goodale	269	277	403
184	An Act granting the right of way and right to construct, maintain, and operate a railroad from Owen's Lake, in the County of Inyo, to the City of Los Angeles or to tide water of the Pacific Ocean. Wing	269		
185	An Act to amend an Act to provide for the management and sale of lands belonging to the State. Minis	269	435	536

Number	TITLE.	Introduced	Passed Senate..	Passed Assembly
186	Proposed amendments to the Constitution. Perkins.....	269		
187	An Act authorizing the holding of special terms of the District Court of the Seventeenth Judicial District. Wilson.....	269		
188	An Act relating to Justices of the Peace and Constables in the County of Contra Costa. Goodale.....	275		
189	An Act to provide for a State Reformatory at San Quentin. Wand.....	275	524	658
190	A proposed amendment to the Constitution of this State. Wand.....	265		
191	An Act to provide for the funding of the indebtedness of Levee District Number Five in the County of Sutter. Hutchings.....	275		
192	An Act to legalize, confirm, and make valid certain contracts for street work in the City and County of San Francisco, and all proceedings of the Board of Supervisors of said city and county relative to the same. Garratt	275	732	749
193	An Act to amend an Act changing the time for holding the County and Probate Court of Amador County, approved December twenty-seventh, eighteen hundred and sixty-five. Farley	275	300	403
194	An Act to provide for the location, construction, and maintenance of public roads and highways in the County of Placer. Neff.....	275	275	315
195	An Act amending an Act entitled an Act to restrict the herding of sheep. Minis.....	275	370	633
196	An Act to amend an Act entitled an Act to provide revenue for the support of the State, passed May seventeenth, eighteen hundred and sixty-one. Comte.....	275	330	502
197	An Act to amend an Act entitled an Act to restrict the herding of sheep. Comte.....	275	370	715
198	An Act to provide for the payment of certain claims against Lake County. Pendegast.....	275	284	351
199	An Act providing for the purchase of certain volumes of California Supreme Court Reports. Pendegast.....	276		
200	An Act concerning estrays in the Counties of Santa Barbara and San Luis Obispo. Van Ness.....	276	414	689
201	An Act to provide for the payment of certain coupons upon bonds of the State of California that have been lost. Garratt	283	348	478
202	An Act entitled an Act to provide for the manner of auditing claims against Humboldt County, and to provide for the reduction of taxation therein and ex-			

Number	TITLE.	Introduced.....	Passed Senate..	Passed Assembly.....
	penses thereof, approved April first, eighteen hundred and seventy. De Haven	283	325	389
203	An Act fixing the compensation of the Treasurer and Assessor of Humboldt County. De Haven	283	326	389
204	An Act in relation to the removal of the county seat of Alameda County. Tompkins	283		
205	An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and Acts amendatory thereof and supplemental thereto. Goodale	283		
206	An Act to amend an Act entitled an Act to define and limit the compensation of officers and reduce public expenses and taxation in the County of San Mateo, approved February sixth, eighteen hundred and sixty-four. Finney	283	432	497
207	An Act to amend an Act entitled an Act to abolish the office of Public Administrator in the Counties of Tuolumne and Santa Barbara, approved April eighteenth, eighteen hundred and fifty-nine. Wing	284	359	520
208	An Act entitled an Act to authorize the Board of Trustees of the City of Sonora to establish a Fire Department Fund and for other purposes. Wing	284	284	312
209	An Act concerning the military of the State of California. Evans	284		
210	An Act to establish a college at Santa Rosa, Sonoma County, California. Tuttle	290	325	389
211	An Act to amend an Act entitled an Act to promote agriculture, approved March twenty-sixth, eighteen hundred and sixty-six	290	297	344
212	An Act to incorporate the Town of Alameda. Tompkins.	290	349	428
213	An Act to regulate the social evil in the City and County of San Francisco. Wand	290		
214	An Act to amend an Act entitled an Act to raise a fund for the improvement of Napa City, approved January twenty-fourth, eighteen hundred and seventy. Pendegast	290	325	389
215	An Act to amend an Act entitled an Act concerning forcible entries and unlawful detainer, and to repeal all other Acts on the same subject, approved April twenty-seventh, eighteen hundred and sixty-three. Comte	290	407	478
216	An Act to provide for entering judgment by confession on promissory notes and other instruments of writing. Comte	290		

Number.....	TITLE.	Introduced.....	Passed Senate..	Passed Assembly.....
217	An Act to amend an Act entitled an Act to provide for the funding of the indebtedness of the County of San Luis Obispo outstanding on the first day of July, eighteen hundred and sixty-three, approved March sixth, eighteen hundred and sixty-three. Van Ness	297	468	520
218	An Act making appropriation for deficiencies in the appropriations for the twenty-third fiscal year. Banvard.....	297	347	435
219	An Act to amend an Act entitled an Act to regulate fees of office and the salaries of certain officers in the County of San Luis Obispo, approved March twenty-ninth, eighteen hundred and seventy. Van Ness.....	297	468	545
220	An Act to amend an Act entitled an Act to authorize and require the County of Santa Cruz to pay over certain school moneys to certain school districts in San Mateo County, approved March twenty-seventh, eighteen hundred and seventy. Finney.....	297	297	427
221	An Act to establish a Penal Code. Farley.....	297	308	316
222	An Act to pay for services rendered in the State Armory. Comte	297		
223	An Act to provide for the appointment of a phonographic reporter in the First Judicial District of this State. Van Ness.....	298	432	536
224	An Act to amend an Act entitled an Act to authorize the County Judges and Probate Judges of this State to hold terms or parts of terms of the County Court and Probate Court in counties other than those for which they were respectively elected, approved March thirteenth, eighteen hundred and sixty-eight. Pendegast...	299		
225	An Act amendatory of an Act entitled an Act for the protection of game, passed May fifteenth, eighteen hundred and fifty-four. Evans.....	307	314	
226	An Act to continue the geological survey of the State of California. Tompkins	307	450	497
227	An Act to amend an Act entitled an Act to regulate the interest on money, passed March thirteenth, eighteen hundred and fifty. Oulton.....	307	359	
228	An Act to provide for deficiencies in the funds of the school districts of Contra Costa County. Goodale.....	312	359	428
229	An Act to authorize the Supervisors to submit to the qualified voters of Placer County the question of granting a subsidy. Maclay.....	312		
230	An Act to furnish arms for the use of the military acadamies in the State. Evans.....	313	334	344
231	An Act to more fully define the crime of larceny. O'Connor.....	313	359	435

SENATE BILLS.

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
232	An Act to amend an Act entitled an Act to incorporate the Town of Colusa, approved April fourth, eighteen hundred and seventy. Boggs	319	349	428
233	An Act to provide for a system of common schools. Larkin	319		
234	By request—An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight. Minis	319		
235	An Act to amend an Act entitled an Act relating to criminal proceedings, approved April second, eighteen hundred and sixty-six. Farley	319	398	478
236	An Act to provide for a special road tax in Napa County. Pendegast	320		
237	An Act to inaugurate the production of iron and steel in California. Neff	324		
238	An Act for correction of errors and omissions in the official proceedings relative to certain contracts for street work in the City and County of San Francisco. Wand	324	330	599
239	An Act to provide for the indigent sick in Del Norte County. DeHaven	324	359	389
240	An Act to amend an Act entitled an Act to authorize the incorporation of canal companies and the construction of canals, approved May fourteenth, eighteen hundred and sixty-two. DeHaven	324		
241	An Act amendatory of and supplemental to an Act entitled an Act to prevent hunting and shooting on private grounds in the Counties of Alameda and San Mateo, approved March twenty-first, eighteen hundred and seventy. Wilson	324	364	
242	An Act to create the office and define the duties of the State Board of Forests Commissioners, and to encourage the culture of forest and timber trees. Betge	324	513	669
243	An Act to amend an Act entitled an Act concerning the revenue, approved March twenty-fifth, eighteen hundred and seventy. Comte	324		
244	An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one. Comte	324		
245	An Act in relation to gaming. Minis	324		
246	An Act entitled an Act to regulate fees and salaries of officers and defining their duties in the County of El Dorado, and other matters relating thereto, approved March fifth, eighteen hundred and seventy. Larkin	329		

Number	TITLE.	Introduced	Passed Senate..	Passed Assembly
247	An Act to amend an Act entitled an Act to regulate fees and salaries of officers and defining their duties in the County of El Dorado and other matters relating thereto, approved March fifth, eighteen hundred and seventy. Larkin	329	505	546
248	An Act amendatory of an Act entitled an Act to reduce and establish the salaries and pay of members of the Legislature, approved April twenty-first, eighteen hundred and fifty-six, approved April fourth, eighteen hundred and sixty-four. O Connor	329	650	
249	An Act entitled an Act to define the Senatorial and Assembly Districts of this State and to apportion the representation thereof. Pendegast	329		
250	An Act to reincorporate the Town of Santa Rosa. Tuttle..	331	508	571
251	An Act to authorize an appropriation of money for the purpose of obtaining paintings in oil by Gideon J. Denney, of San Francisco, illustrative of events in and scenery of California, to be placed in the State Capitol, Oulton	336		
252	An Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one. Larkin	338	421	445
253	An Act authorizing John Spriggs, an alien, to inherit the estate of his brother, Thomas Spriggs, deceased. Comte	338		
254	An Act to amend an Act entitled an Act to provide for the formation of corporations for certain purposes, approved April fourteenth, eighteen hundred and fifty-three. Perkins	339	509	599
255	An Act entitled an Act for the relief of John J. McCredy. Maclay	345	476	546
256	An Act to encourage silk culture and manufacture. Maclay	345		
257	An Act to provide for the opening and improvement of Santa Clara and Saratoga Avenue in the County of Santa Clara. Maclay	346	370	445
258	An Act to change the name of the Front Street, Mission, and Ocean Railroad Company. Wand	346	264	454
259	An Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money of said Board. Wand	346	617	689

Number	TITLE.	Introduced	Passed Senate..	Passed Assembly
260	An Act to facilitate and increase the collection of State and county and municipal licenses in the City and County of San Francisco. Wand.....	346	364	668
261	An Act amendatory of an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to open the grade of Market street, in said city, from the intersection of said street with Valencia street to its intersection with Seventeenth street, and to condemn private property for the roadway of said street, approved April second, eighteen hundred and seventy. Wand.....	346	364	
262	An Act concerning certain crimes and punishments. Gwin.....	346		
263	An Act to provide for the erection of a school house in Modesto School District, in the County of Stanislaus. Keys.....	346	364	435
264	An Act concerning the San Diego and Gila Southern Pacific and Atlantic Railroad Company, and to extend the time of performing certain acts. McCoy..	346	435	561
265	An Act supplementary to an Act entitled an Act defining the time for commencing civil actions, passed April twenty-second, eighteen hundred and fifty. O'Connor.	346	432	502
266	An Act for the observance of the Sabbath. Neff.....	355		
267	An Act to regulate the salary of the County Treasurer of Stanislaus County. Keys.....	355	364	412
268	An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one. Oulton.....	355	432	599
269	An Act to provide for the location, construction, and maintenance of public roads in the County of Colusa. Boggs.....	355	682	715
270	An Act entitled an Act to amend an Act to prevent the destruction of fish in the waters of Napa River and Sonoma Creek. Pendegast.....	363	508	571
271	An Act concerning roads in the County of Butte. Boucher.....	363	435	488
272	An Act relative to the purchase and delivery of stationery and other articles by the Secretary of State. Oulton...	363		
273	An Act to more particularly define the boundary line between the City and County of San Francisco and the County of Alameda. Oulton.....	363	696	

SENATE BILLS.

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
274	An Act to amend section three hundred and sixty-four of an Act entitled an Act to regulate proceedings in criminal cases, approved May first, eighteen hundred and fifty-one. Evans	363		
275	An Act to add an additional section to the Penal Code. Garratt	363	432	669
276	An Act to authorize the Board of Supervisors of Amador County to levy an additional tax for county expenditures in said county. Farley	363	363	411
277	An Act to amend an Act entitled an Act to protect agriculture and to prevent the trespassing of animals upon private property in the County of Los Angeles, the County of San Diego, and parts of Monterey County. Beck	365	365	453
278	An Act to amend an Act to define the duties and liabilities of pawnbrokers and pledgees, approved April seventeenth, eighteen hundred and sixty-one, and for the management of the affairs thereof. Hutchings	368		
279	An Act to amend an Act entitled an Act to fix the compensation of officers, to provide for funding the floating debt of the County of Santa Barbara, and to prohibit the contracting of any new indebtedness against said county, approved April fourth, eighteen hundred and sixty-four. Van Ness	368	468	520
280	An Act supplemental to an Act entitled an Act for the maintenance of public roads and trails in the County of Sierra, approved February ninth, eighteen hundred and sixty-six. Turner	369	378	428
281	An Act entitled an Act amendatory of an Act supplemental to an Act to aid the construction of the Central Pacific Railroad, and to secure the use of the same to the State for military and other purposes, and other matters relating thereto. Tuttle	369		
282	An Act to amend an Act entitled an Act to provide for the construction and maintenance of toll roads within the State of California, approved April fourth, eighteen hundred and seventy. Wing	369	435	
283	An Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act concerning roads and highways in the County of Tuolumne, approved February twenty-seventh, eighteen hundred and sixty-six, approved April second, eighteen hundred and seventy. Wing	369	378	411
284	An Act to amend an Act entitled an Act to provide for redeeming and paying the warrants outstanding against Tuolumne County, and for paying current expenses of said county in cash, and defining and			

Number	TITLE.	Introduced	Passed Senate..	Passed Assembly
	limiting the powers and duties of certain officers in relation thereto. Andross	369	378	428
285	An Act in relation to the registration of voters. O'Connor.	374		
286	An Act to repeal section two of an Act to regulate the rates of fare and paving on certain street railroads in the City and County of San Francisco, approved April second, eighteen hundred and sixty-six. Betge.	374		
287	An Act to amend an Act entitled an Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to the town lands granted to the unincorporated towns in this State by the Act of Congress entitled an Act for the relief of the inhabitants of cities and towns upon the public lands, approved March second, eighteen hundred and sixty-seven, approved March thirteenth, eighteen hundred and sixty-eight. McKusick	375		
288	An Act repealing Article IV of an Act entitled an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved the nineteenth day of April, eighteen hundred and fifty-six; and all Acts and parts of Acts amendatory and supplementary thereof, and substituting this Act for said Article Fourth. Oulton	375	677	711
289	An Act amendatory of and supplemental to an Act entitled an Act to provide for the restoration and preservation of fish in the waters of this State, approved April second, eighteen hundred and seventy. Tompkins	375		
290	An Act to amend an Act entitled an Act to protect agriculture and to prevent the trespassing of animals upon private property, approved March twenty-six, eighteen hundred and sixty-six. Keys	384	384	539
291	An Act entitled an Act for the relief of Joseph S. Emery. Maclay	385	492	572
292	An Act to prevent trespasses upon cultivated fields in Fresno County. Keys	385		
293	An Act to provide a Supreme Court room and apartments for the officers of the Supreme Court. O'Connor	386		
294	An Act for the relief of W. B. Norman and A. C. Bradford. Farley	386		
295	An Act to authorize the Board of Supervisors of the City and County of San Francisco to aid in the erection and construction of water works for the supply and distribution of fresh water to the inhabitants of said city and county, and other matters relating thereto. Wand	386		

Number	TITLE.	Introduced	Passed Senate..	Passed Assembly
296	An Act to amend an Act entitled an Act concerning roads and highways in the County of San Mateo, approved —— twenty-fifth, eighteen hundred and sixty-eight. Finney	390	435	546
297	An Act to authorize the payment of Mistress Eliza McLean for supplies furnished the State Marine Hospital in the years eighteen hundred and fifty-three and eighteen hundred and fifty-four. Machay	390	553	631
298	An Act to provide funds for the construction and improvement of highways in the County of San Mateo. Finney	390	426	448
299	An Act to fund the Indian war indebtedness of the State of California. McMurry	390	731	
300	An Act to legalize certain proceedings of the Board of Supervisors of Yolo County. Minis	390	649	689
301	An Act to appoint additional Notaries Public for the County of San Diego. McCoy	390	390	428
302	An Act to regulate the practice of pharmacy in the City and County of San Francisco. Garratt	391	510	645
303	An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one. Van Ness	391		
304	An Act to amend an Act entitled an Act to prevent extortion in office, and to enforce official duty, approved March fourteenth, eighteen hundred and fifty-three. Van Ness	391	672	
305	An Act authorizing the Board of Supervisors of Tuolumne County to levy a special tax to pay certain bonds against said county. Andross	391	432	477
306	An Act in relation to police officers. Comte	391		
307	An Act to amend an Act amendatory of and supplementary to an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, approved April nineteenth, eighteen hundred and fifty-six. Comte	391	620	711
308	An Act to extend the time allowed to the Southern Pacific Railroad Company and the Western Pacific Railroad Company in which to make terminus of their roads upon certain lands donated to them by the State for that purpose in the City and County of San Francisco. Duffy	396	396	411

Number.....	TITLE.	Introduced.....	Passed Senate..	Passed Assembly.....
309	An Act to provide for the payment of deficiency in the State Prison appropriation for the twenty-third fiscal year ending —— thirtieth, eighteen hundred and seventy-two. Goodale.....	396	432	519
310	An Act concerning service of summons upon absent defendants by publication. Tompkins.....	396	432	502
311	An Act in regard to the practice in the Police Judge's Court of the City and County of San Francisco. Betge.....	396		
312	An Act supplementary to and amendatory of an Act entitled an Act to incorporate the Town of Santa Cruz, approved March thirty-first, eighteen hundred and sixty-six. Beck.....	397	544	
313	An Act relative to unpaid warrants and assessments in Reclamation District Number One Hundred and Eight. Boggs.....	397	469	561
314	An Act for the payment of the salary of the late Royal T. Sprague for the year eighteen hundred and seventy-two to his widow. Duffy.....	404	404	412
315	An Act supplementary to an Act entitled an Act to define and establish the boundary line between the Counties of Inyo and Mono, approved March twenty-eight, eighteen hundred and seventy. Wing.....	404	418	478
316	An Act to authorize the issue of bonds by the County of Inyo to erect county bridges and buildings. Wing.....	404	404	488
317	An Act to amend an Act entitled an Act to incorporate the City of Gilroy. Maclay.....	404	435	497
318	An Act amendatory of an Act to provide for the improvement of parks in the City of San Francisco. Maclay.	405		
319	An Act amendatory of an Act to provide for the erection of a City Hall in the City of San Francisco, approved April fourth, eighteen hundred and seventy. Maclay.	405		
320	An Act to protect agriculture and to prevent the trespassing of animals in the County of Colusa. Boggs.....	405	469	646
321	An Act to amend an Act entitled an Act to authorize the issuance of bonds by the County of San Luis Obispo to erect county buildings, and to provide a site for the same, approved April fourth, eighteen hundred and seventy. Van Ness.....	405	435	497
322	An Act to amend an Act entitled an Act to create and organize the University of California, approved March twenty-third, eighteen hundred and sixty-eight. Tompkins.....	405	552	658

Number	TITLE.	Introduced	Passed Senate..	Passed Assembly
323	An Act relating to a special fund for the State Library. Duffy	405		
324	An Act to enable the City of Stockton to redeem its bonds falling due during the year eighteen hundred and seventy-three. Evans	413	413	463
325	An Act to confer certain powers on the Judge of the County Court of the City and County of San Francisco. Betge	413		
326	An Act to promote irrigation. Keys	413	672	712
327	An Act to repeal an Act entitled an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, approved April twenty-seventh, eighteen hundred and sixty-three. Keys	413		
328	An Act to provide for the establishment of a public highway and ferry on the San Joaquin River, in the County of Stanislaus. Keys	413	611	643
329	An Act for the encouragement of irrigation. Keys	413		
330	An Act for the relief of John L. Milner, Sheriff of Stanislaus County. Keys	413		
331	An Act to authorize certain persons to construct weirs and traps in the Straits of Carquinez for the purpose of taking fish. Goodale	413		
332	An Act supplementary to and amendatory of an Act entitled an Act to provide for the building of a court house and jail in Marin County, and to repeal certain Acts, approved January eighteenth, eighteen hundred and seventy. Goodale	413	431	454
333	An Act supplementary to an Act entitled an Act to provide additional funds for the support of the common schools of Siskiyou County for the year commencing on the first day of July, eighteen hundred and seventy-one, and ending the thirteenth day of June, eighteen hundred and seventy-two, approved December twenty-first, eighteen hundred and seventy-two. Irwin	413	413	435
334	An Act to improve the quality of fish in Clear Lake, and to supply its waters with different species thereof. Pendegast	414		
335	An Act concerning the fees and salaries of certain officers in the County of Sonoma. Tuttle	421	421	644

Number	TITLE.	Introduced	Passed Senate..	Passed Assembly
336	An Act to provide for the payment of expenses incurred in construction of new State Armory, and for services rendered in cleaning and restoring State military property. Evans.....	421	469	572
337	An Act to amend an Act entitled an Act to establish a State Normal School, approved April fourth, eighteen hundred and seventy. Tuttle.....	421	470	
338	An Act to amend an Act to provide for the management and sale of the lands belonging to the State. Minis.....	430	508	658
339	An Act authorizing the transcribing of certain records in the County of San Luis Obispo. Van Ness.....	430	470	520
340	An Act to authorize the Board of Supervisors of the County of San Luis Obispo to audit and allow the claim of M. B. Harrison. Van Ness.....	430	470	560
341	An Act to regulate the fees of the Sheriff of the County of Santa Cruz. Beck.....	430	430	478
342	An Act appropriating fifty-six thousand dollars in United States legal tender notes for the payment of the necessary incidental expenses of the State Capitol and Governor's Mansion. Finance Committee.....	442	515	644
343	An Act authorizing the issuance of State bonds to the amount of two hundred and fifty thousand dollars to be known as State Capitol Bonds of Eighteen Hundred and Seventy-two. Finance Committee.....	442	516	668
344	An Act to provide further accommodation for the insane of the State of California, to provide a special fund therefor. Keys.....	449	537	631
345	An Act to fix the salary of the members of the Board of Supervisors of the County of Trinity. McMurry.....	449	469	520
346	An Act concerning the salary of the District Attorney of Lake County. Pendegast.....	449	507	571
347	An Act to provide for the construction of a public road from the Town of Amador City to the Town of Sutter Creek, in Amador County, and the collection of tolls thereon. Farley.....	449	743	749
348	An Act to establish meteorological stations in the various counties of this State. Minis.....	449	611	
349	An Act concerning a certain road in the County of Sierra. Turner.....	449	470	520
350	An Act to establish and maintain a dispensary in the City of Sacramento. Comte.....	456	456	571

Number	TITLE.	Introduced	Passed Senate..	Passed Assembly
351	An Act supplementary to an Act entitled an Act to authorize the Board of Supervisors of Mendocino County to issue bonds of said county and apply the same to the construction of wagon roads in said county, approved February twentieth, eighteen hundred and seventy-two. Pendegast	458	458	488
352	An Act amendatory of and supplementary to an Act entitled an Act to reincorporate the City of Placerville and extend the limits thereof, approved April sixth, eighteen hundred and sixty-three. McKusick	458	491	546
353	An Act to provide for the election of a Treasurer and Tax Collector for the County of El Dorado and to fix their compensation. McKusick	458	486	525
354	An Act to incorporate the City of Vallejo. Minis	459		
355	An Act to permanently locate the county seat of the County of Monterey by the qualified electors of that county. Beck	460		
356	An Act for the relief of Charles Tupper. Wing	465		
357	An Act to amend an Act entitled an Act concerning roads in the Counties of Santa Barbara and San Luis Obispo, approved February twenty-first, eighteen hundred and seventy-two. Van Ness	465	620	644
358	An Act concerning public roads and highways in the County of Monterey. Beck	465	465	
359	An Act to authorize the Board of Supervisors of the City and County of San Francisco to supply said city with pure fresh water for its use and for the use of its inhabitants. Garratt	465		
360	An Act to amend an Act entitled an Act to incorporate the Town of Brooklyn and to define and establish the boundary line between said town and the City of Oakland, approved April fourth, eighteen hundred and seventy. Tompkins	465	465	520
361	An Act to provide a system of common schools. Tuttle	465	588	709
362	An Act to establish and protect public trails and footways in this State. Keys	465		
363	An Act to establish a Code of Civil Procedure. Pendegast.	466	466	489
364	An Act supplementary to and amendatory of an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one. Pendegast	475		

SENATE BILLS.

Number.....	TITLE.	Introduced.....	Passed Senate..	Passed Assembly.....
365	An Act to restrict the hunting or shooting of game in the County of Yolo. Minis.....	472	472	546
366	Proposed amendments to the Constitution of the State of California. Tompkins.....	472	509	
367	An Act to empower the City of Stockton to fund its school debt and for school purposes. Evans.....	479	556	613
368	An Act to create the County of San Benito, to define its boundaries, and provide for its organization. Beck...	479		
269	An Act to provide for printing and distributing Meredith's Great Register of the State of California. Maclay....	479		
370	An Act to provide for the incorporation of tramroad companies in certain counties of this State. O'Connor.....	479	593	
371	An Act to provide for the settlement of the value of school property in the several school districts that were adjacent to the City of Stockton, and which was by Act of the Legislature approved January twenty-sixth, eighteen hundred and seventy, included within the limits of said city. Evans.....	480	556	599
372	An Act for the relief of certain parties holding property on Market street, in the City and County of San Francisco. Garratt.....	480	553	645
373	An Act to provide for the location of tow paths along the banks of navigable streams. Pendegast.....	480	672	711
374	An Act supplementary to an Act for the endowment of the University of California, approved April second, eighteen hundred and seventy. Tompkins.....	480	527	613
375	An Act to establish a Political Code. Irwin.....	489	489	497
376	An Act to authorize the Board of Supervisors of the City and County of San Francisco to enter into a contract for supplying said city with pure fresh water for its use and for the use of the inhabitants. Garratt.....	489		
377	An Act to authorize the Trustees of the Town of Colusa to call an election of the qualified voters of said town to vote upon the continuance or dissolution of the municipal corporation of said town. Boggs.....	490	621	669
378	An Act in relation to the office of District Attorney in Santa Cruz County. Beck.....	490	490	561
379	An Act to authorize Margaret McDanel, administratrix of the estate of Thomas McDanel, deceased, to borrow money to pay debts of the estate. Perkins.....	490	620	697
380	An Act to appropriate money for the contingent expenses of the Legislature. McMurry.....	492	492	503

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
381	An Act to enable the heirs or next of kin of Thomas Spriggs, deceased, to inherit his estate. Comte	494	605	531
382	An Act to provide for the settlement of the claim of E. L. Brown. Duffy	504		
383	An Act to amend an Act entitled an Act to regulate and license places of public amusement, approved April thirteenth, eighteen hundred and sixty-three. McKusick	504	622	669
384	An Act to add another section to the Penal Code. Wand.	504		
385	An Act in regard to Swamp Land District Number Eighteen. Minis	504	504	715
386	An Act to amend an Act entitled an Act to reincorporate the Town of San Luis Obispo, approved March fourth, eighteen hundred and seventy-two. Van Ness	512	512	560
387	An Act concerning the office of Secretary of the Fire Department of the City of Sacramento. Duffy	512	512	555
388	An Act to authorize the transfer of the Indian Fund of Siskiyou County to the School Fund of the county. Irwin	512	512	661
389	An Act to amend an Act entitled an Act to authorize the Board of Supervisors of Santa Barbara County to build a court house and jail in said county, to issue bonds of said county for the construction thereof, and to provide for the payment of the same, approved February second, eighteen hundred and seventy-two. Van Ness.	512	512	689
390	An Act in relation to the State Printer. Irwin	512	649	733
391	An Act to define the duties and fix the compensation of the State Printer. Irwin.	512		
392	An Act for the relief of the executors of the last will and testament of Jacob Shamway. Maclay	512		
393	An Act to authorize the Board of Supervisors of San Joaquin County to appropriate money for the use of the San Joaquin Valley Agricultural Society. Evans.	512	620	676
394	An Act amendatory of an Act entitled an Act in relation to the county officers of the County of Sierra, approved March twelfth, eighteen hundred and seventy. Turner.	512	657	668
395	An Act concerning the office of Treasurer of Sierra County. Turner	513	611	644
396	An Act to repeal an Act concerning roads and highways in the County of Sierra, approved March twenty-fifth, eighteen hundred and seventy. Turner.	513	611	644

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
397	An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one. Pendegast	513	620	
398	An Act to provide for the payment of legal services rendered the State by Samuel Cross. Conte	513	650	728
399	An Act to amend an Act entitled an Act to incorporate the Town of Wilmington, in the County of Los Angeles, in the State of California, approved February twentieth, eighteen hundred and seventy-two. Wilson	523	523	560
400	An Act to authorize the Board of Supervisors of Los Angeles County to locate and build bridges across the Los Angeles River and the New San Gabriel and Old San Gabriel Rivers, in Los Angeles County, and to issue bonds for the payment of the same. Wilson	523	525	571
401	An Act supplementary to an Act to regulate fees of office and salaries of certain officers and repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy. Dyer	523	611	710
402	An Act to put into immediate effect certain parts of the Political and Penal Codes. Irwin	523	523	540
403	An Act to appropriate money and to provide for the payment of certain equitable claims against the State. Wing	523		
404	An Act authorizing certain persons to improve a portion of Kings River, and to erect booms thereon. Fowler	525	525	560
405	An Act to provide for the opening and improving of Santa Clara and Saratoga Avenue, in the County of Santa Clara. Maclay	525	525	555
406	An Act to extend an Act entitled an Act concerning District Court Reporters, approved March twentieth, eighteen hundred and sixty-six, to the Nineteenth and Twentieth Judicial Districts of the State of California. Oulton	537	537	677
407	An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons, approved May first, eighteen hundred and fifty-one. Tompkins	537	537	
408	An Act for the protection of fish and game in certain portions of Napa County. Pendegast	537	537	633
409	An Act supplementary to an Act concerning public ferries and toll-bridges, approved April fifteenth, eighteen hundred and fifty-five. Keys	537		
410	An Act to provide for Public Administrators in certain cases. McKusick	537	620	689

Number	TITLE.	Introduced	Passed Senate..	Passed Assembly.....
411	An Act regulating the planting and propagating lobsters and eels in this State. Pendegast.....	538	620	
412	An Act concerning the State military. Evans.....	538		
413	An Act to provide for an official survey of the swamp and overflowed tide and salt marsh lands in Sonoma County. Tuttle.....	546	679	739
414	An Act to authorize the transfer to the General Fund of money in other Funds of State Treasury, and the return thereof to such Funds. Oulton.....	546	546	599
415	An Act to amend an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one. Crane...	546	696	
416	An Act making an appropriation for deficiencies for the twenty-third fiscal year, ending the twentieth day of June, eighteen hundred and seventy-two. Banvard...	546	546	
417	An Act to repeal an Act granting certain powers to the Board of Supervisors of the City and County of San Francisco. Wand.....	547	650	
418	An Act to reincorporate the City of Petaluma. Tuttle.....	547	753	
419	An Act to amend an Act entitled an Act concerning public roads and highways in the Counties of Santa Cruz and San Diego, approved March twenty-first, eighteen hundred and seventy. Beck.....	547	547	599
420	An Act supplementary to an Act entitled an Act to provide for the appointment of Notaries Public, and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two. Beck.....	547	547	697
421	An Act to regulate the rates of telegraphing in this State. Neff.....	547		
422	An Act to create and establish the State Botanical and Zoölogical Farm, for the experimental culture of all desirable plants, of foreign or indigenous growth, available for economic purposes; and for the cultivation of knowledge in zoölogy, and for the foundation of a public thermal sanitarium for the cure of chronic maladies. Comte.....	547		
423	An Act to authorize the Board of Supervisors of Yolo County to approve and certify claims against Swamp Land District Number Eighteen. Mmis.....	547	629	668
424	An Act supplemental to an Act entitled an Act to survey and dispose of certain salt marsh and tide lands belonging to the State of California, approved March thirteenth, eighteen hundred and sixty-eight; and an Act			

SENATE BILLS.

Number	TITLE.	Introduced	Passed Senate..	Passed Assembly
	supplementary and amendatory thereof, approved April first, eighteen hundred and seventy. Garratt.....	550		
425	An Act to prevent hogs from running at large in the Town of Red Bluff. Boggs	550	550	599
426	An Act to expedite the settlement of title to land sold by the State. Keys.....	561		
427	An Act in regard to Washington Drainage District of Yolo County. Minis	561	570	
428	An Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one. O'Connor.....	561	695	
429	An Act to amend an Act entitled an Act to grant Guillermo Carrillo and his assigns the right to supply the inhabitants of the Town of Santa Barbara with fresh water, approved May third, eighteen hundred and sixty-one. Van Ness.....	561	678	729
430	An Act to establish a Civil Code. Pendegast.....	562	562	575
431	An Act to provide for collecting a poll hospital tax in the County of Colusa. Boggs.....	562	681	715
432	An Act to authorize the State Controller to issue a duplicate warrant. Comte.....	562	746	
433	An Act concerning the taxation of live stock. Fowler.....	562		
434	An Act to provide for the payment of general taxes in two installments, semi-annually. Gwin.....	573		
435	An Act to provide for the reissue of lost stock certificates of mining companies. Gwin.....	573		
436	An Act to amend an Act entitled an Act to authorize the issuance of bonds by the County of San Luis Obispo to erect county buildings and to provide a site for the same, approved April fourth, eighteen hundred and seventy. Van Ness.....	573	573	658
437	An Act concerning persons under sentence of imprisonment in the County Jail in the County of Napa. Pendegast.....	573	650	676
438	An Act to ratify and confirm the sale of a franchise granted under and by an Act entitled an Act to authorize L. B. Northrop, Horace Cole, and E. B. Goddard, and their associates, to construct a plank road or bridge over the waters of Mission Bay, in the City and County of San Francisco, approved April eighteenth, eighteen hundred and sixty-two. Garratt	573		

SENATE BILLS.

Number	TITLE.	Introduced	Passed Senate..	Passed Assembly
439	An Act to empower the Trustees of the Mountain View Cemetery Association to mortgage certain lands. Tompkins	573	573	645
440	An Act supplementary to an Act creating the office of Insurance Commissioner, approved March twenty-sixth, eighteen hundred and sixty-eight. Comte	574		
441	An Act for the relief of the Central Pacific Railroad Company. Comte	575	575	
442	An Act to authorize suit against the Board of Supervisors of the County of Sacramento. Duffy	575	678	
443	An Act to authorize a special tax in Siskiyou and Klamath Counties for the construction of a wagon road from Scott Valley, in Siskiyou County, to Sawyer's Bar, in Klamath County. Irwin	581	581	612
444	An Act to protect growing crops and grain in the County of Inyo. Wing	581	625	689
445	An Act to protect fish in the waters of Sierra and Plumas Counties. Turner	582	679	711
446	An Act to authorize Charles Lyndall to sell and convey real estate. Maclay	582		
447	An Act to amend an Act to regulate the rights of owners of mines, approved April first, eighteen hundred and seventy. McMurry	582	627	
448	An Act for the relief of John J. Conlin. Garratt	588	680	711
449	An Act concerning the office of Sheriff of Humboldt County. De Haven	588	679	697
450	An Act to amend an Act entitled an Act concerning estrays and animals found running at large in the County of Santa Clara, passed April twenty-seventh, eighteen hundred and sixty-three. Maclay	595	595	643
451	An Act to amend an Act entitled an Act for the incorporation of water companies, approved April twenty-second, eighteen hundred and fifty-eight. Tompkins.	595	595	
452	An Act supplementary to an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to modify the grade of certain streets, approved March thirteenth, eighteen hundred and sixty-eight; and an Act entitled an Act amendatory of and supplemental to an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to modify the grade of certain streets, approved March thirteenth, eighteen hundred and sixty-eight; approved February first, eighteen hundred and seventy, to relieve certain			

Number	TITLE.	Introduced.....	Passed Senate..	Passed Assembly.....
	classes of persons from damage under certain proceedings had and contemplated under said Acts, and to provide for the more speedy payment of claims arising under the said Acts. Belger.....	595		
453	An Act for the relief of persons holding certain certificates of purchase issued by the Board of Tide Land Commissioners. Keys.....	595		
454	An Act to reincorporate the City of Stockton. Evans.....	596	617	643
455	An Act to amend an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight. Minis.....	608		
456	An Act to encourage the production of silk in the State of California. Maclay.....	608		
457	An Act entitled an Act supplementary to and amendatory of an Act entitled an Act supplementary of an Act entitled an Act to survey and dispose of certain salt marsh and tide lands belonging to the State of California, approved March thirteenth, eighteen hundred and sixty-eight, approved April first, eighteen hundred and seventy. Minis.....	608		
458	An Act to provide for the introduction of good and pure water into the Town of San Luis Obispo. Van Ness...	608	608	658
459	An Act amending certain sections of the Police Court Act of the City of Oakland. Tompkins.....	608	657	
460	An Act concerning streams in the County of Santa Clara. Maclay.....	618	618	644
461	An Act to appropriate money to assist the Aerial Steam Navigation Company, of California. Wand.....	618		
462	An Act authorizing the Board of State Harbor Commissioners to reduce or abolish the rates of dockage, wharfage, and tolls. Oulton.....	618	618	676
463	An Act for the relief of Isaac Hobbs, ex-Sheriff of Solano County. Minis.....	618	618	
464	An Act to authorize the Napa Ladies' Seminary to grant diplomas. Pendegast.....	619	619	748
465	An Act to amend an Act entitled an Act to regulate fees in office. Garratt.....	619	696	709
466	An Act concerning the office of District Attorney of Sacramento County. Comte.....	619	732	750

Number	TITLE.	Introduced	Passed Senate..	Passed Assembly
467	An Act to authorize the Board of Supervisors of Monterey County to submit to the qualified electors thereof the question of division of said county at the next Presidential election, and to provide for the organization and maintenance of a new county to be called San Benito County. Irwin	634		
468	An Act supplementary to an Act entitled an Act to provide for the erection of a court house and jail in the County of Stanislaus, approved February first, eighteen hundred and seventy-two. Keys	634	634	669
469	An Act in relation to the Superintendent of the State Insane Asylum. Boggs	634	634	689
470	An Act concerning roads and highways in Contra Costa County. Goodale	634	634	676
471	An Act amendatory of and supplementary to an Act concerning roads in the County of Butte, approved March twelfth, eighteen hundred and seventy-two. Boucher	634	634	669
472	An Act to provide for paving the streets in the City and County of San Francisco, and for the repair thereof. Wand	635	683	
473	An Act to provide for the opening and improvement of Santa Clara and Alviso Avenue, in the County of Santa Clara. Maclay	635	635	
474	An Act providing for the refunding of the bonded indebtedness of the County of Santa Clara. Maclay	635	635	715
475	An Act for the relief of George F. Allardt. Maclay	635		
476	An Act to authorize and empower the Board of Trustees of the Town of Suisun City to grade and improve the streets and alleys of said town. Minis	635	635	669
477	An Act to supply the City and County of San Francisco with water. Garratt	635	683	
478	An Act supplementary to an Act entitled an Act to authorize the distribution of the reports of the State Geological Survey, approved February second, eighteen hundred and seventy-two. Pendegast	635	635	715
479	An Act concerning the District Tax Collector of Placer County. Banvard	647	647	676
480	An Act to authorize the Commissioners of the funded debt of the City of San Francisco to transfer certain funds and property to said city. Oulton	647	689	715
481	An Act to provide for the incorporation of tramroad companies in the County of Shasta. McMurry	647	683	711

SENATE BILLS.

Number.....	TITLE.	Introduced.....	Passed Senate..	Passed Assembly.....
482	An Act supplementary to an Act to prevent the trespassing of animals upon private property, approved March twenty-sixth, eighteen hundred and sixty-six. Minis...	647		
483	An Act to give immediate effect to certain provisions of the Political Code. Comte.....	647	647	714
484	An Act to legalize the deeds to lands in the Town of Santa Clara, Santa Clara County. Maclay.....	647		
485	An Act to authorize the Board of Supervisors of El Dorado County to levy a special tax. McKusick.....	647	647	712
486	An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-two. Farley.....	648	654	
487	An Act to enable the City and County of San Francisco to conform to so much of the Political Code as relates to the public revenue. Oulton.....	659	659	677
488	An Act supplementary to an Act entitled an Act to incorporate the City of Petaluma. Tuttle.....	659	659	
489	An Act to put into effect certain provisions of the Political Code. Pendegast.	659	659	711
490	An Act to regulate the salary of the District Judge of the Sixteenth Judicial District. Fowler.....	660	660	689
491	An Act to amend an Act entitled an Act to regulate the fees and salaries of officers, and defining their duties, in the County of El Dorado, and other matters relating thereto. Larkin.....	660	660	711
492	An Act to put into effect the provisions of the Civil Code relative to water rights. McKusick.....	660	660	669
493	An Act in relation to the Political Code. Neff.....	660	660	676
494	An Act in relation to the fees of District Attorney in certain counties. Neff.....	660	660	677
495	An Act to fix the terms of the County and Probate Courts of Sonoma County. Tuttle.....	671	671	711
496	An Act authorizing the Board of Supervisors of the County of Santa Clara to pay to the Sheriff certain moneys therein mentioned. Maclay.....	671	671	677
497	An Act to authorize the construction and maintenance of a bridge across Napa River at Napa City. Pendegast.	671	671	689
498	An Act to authorize and direct the Clerk of the Supreme Court to make and keep general indices of records filed in said Court. Comte.....	671		
499	An Act to except certain counties from certain sections of an Act entitled an Act to put into effect certain parts of the Codes, and provide for their publication, approved			

SENATE BILLS.

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
	March twenty-second, eighteen hundred and seventy-two. Irwin	673	673	715
500	An Act appropriating fifty-six thousand dollars in United States legal tender notes for payment of the necessary incidental expenses of the State Capitol and Governor's Mansion. Irwin	673	673	
501	An Act for the protection of the School Fund of the State. Perkins	691		
502	An Act making appropriations for deficiencies in the appropriations made for the twenty-second and twenty-third fiscal years. Banvard	691	709	729
503	An Act to appropriate funds for the relief of the several orphan asylums of the State. Banvard	691	709	729
504	An Act to amend an Act entitled an Act to regulate the salaries and fix the compensation of certain county officers in the County of Nevada, approved March sixth, eighteen hundred and seventy. O'Connor	691	691	710
505	An Act to authorize the Board of Supervisors of San Mateo County to settle certain claims against said county. Finney	691	691	711
506	An Act to appropriate money for contingent expenses of the Senate at the nineteenth session of the Legislature. McMurry	691	691	711
507	An Act to more clearly define the boundary line between the Counties of Lake and Yolo, in the State of California. Minis	691	691	729
508	An Act authorizing the Board of Supervisors of the County of Santa Clara to pay to the County Clerk and Auditor of said county certain moneys therein mentioned. Maclay	691	691	715
509	An Act to authorize the Assessor of the City and County of San Francisco to appoint deputies. Wand	691	744	749
510	An Act to extend the provisions of the Act entitled an Act to protect agriculture and to prevent the trespassing of animals upon private property, approved March twenty-seventh, eighteen hundred and seventy-two, to a part of the County of Monterey. Beck	692	712	719
511	An Act to amend certain parts of the Political Code, approved March twelfth, eighteen hundred and seventy-two. Comte	692		
512	An Act concerning the Board of Supervisors. Pendegast.	719	719	
513	An Act to appropriate moneys for the purpose of constructing buildings at the State University. Banvard	724		

SENATE BILLS.

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
514	An Act to amend an Act in relation to the Political, Civil, and Penal Codes and the Code of Civil Procedure. Pendegast	725	725	739
515	Proposed amendment to the Constitution of the State of California. Evans	732	700	739
516	An Act to make an appropriation for the salary of the Phonographic Reporter of the Supreme Court, the three months ending June thirtieth, eighteen hundred and seventy-two. Banvard	738	738	749
517	An Act supplementary to and explanatory of the Act approved March sixth, eighteen hundred and seventy-two, entitled an Act to authorize the County of Sacramento to issue bonds. Comte	738	738	749
518	An Act to authorize the Board of Supervisors of Siskiyou County to pay Presley A. Dorris a certain sum out of the County General Fund. Irwin	738	738	749
519	An Act to repeal certain statutes. Irwin	740	740	

SENATE CONCURRENT RESOLUTIONS.

SENATE CONCURRENT RESOLUTIONS.

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
1	Relative to notifying Governor and Lieutenant Governor of organization of Legislature	20	20	23
2	Relative to inauguration of Governor Booth	20	20	23
3	Relative to joint convention for canvassing the vote and declaring the result of the election for Governor and Lieutenant Governor	21	21	23
4	Relative to inaugural expenses	34		
5	Relative to furnishing State Librarian with copies of printed bills	102		136
6	Relative to constituting the Judiciary Committee of both Houses a joint committee on the revision of the laws	118	175	137
7	Relative to instructing our Representatives in Congress to use efforts to create San Diego a port of entry	131		
8	Relative to changing course of San Diego River	132		
9	Relative to inquiring into the affairs of the State University.	131		168
10	Relative to printing Message of Governor Haight and Inaugural Address of Governor Booth	135	135	144
11	Relative to translating the laws of the present session into Spanish	138		
12	Relative to distributing reports of Resident Physician of Insane Asylum	138	138	
13	Relative to printing report of the Commissioner on Lunacy.	154		
14	Relative to raising flag in front of Capitol	154		
15	Relative to Report of Commissioner on Lunacy	159	159	169
16	Relative to requesting Congress to establish a National Bureau of Education	159		
17	Relative to inquiring into the contracts which have been entered into and the labor which has been performed on the State Capitol and Governor's Mansion	160	160	
18	Relative to ceding certain territory to the State of Nevada.			
19	Relative to joint committee to examine Indian war claims	192	192	
20	Relative to employment of porter for Commissioners to revise the laws	220	220	

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
21	Relative to establishment of mail route from Lake Valley, El Dorado County, California, to Genoa, State of Nevada	226	226	
22	Relative to printing report of Commissioner on Lunacy	230	230	
23	Relative to appropriating public lands to educational purposes	246	330	436
24	Relative to inviting the Japanese Embassy to visit the Capitol	252	252	
25	Relative to requesting the Governor to return Senate Bill seventy-two, for the purpose of making a clerical correction	252	252	
26	Relative to requesting the Attorney General to bring suit in accordance with an Act entitled an Act to relieve owners of incumbered real estate from double taxation, approved April fourth, eighteen hundred and seventy	266		488
27	Relative to printing reports of State Board of Agriculture	266		
28	Relative to Enrolling Clerk correcting error in Senate Bill seventy-two	276	276	
29	Relative to requesting the Governor to return Senate Bill forty-three, for correcting title	303	303	
30	Relative to payment of expenses of the Japanese Embassy reception	307	330	376
31	Relative to Governor returning Senate Bill forty-three for correction	323	323	327
32	Relative to payment of Clerk of Committee on Hospitals	356	356	366
33	Relative to appointment of joint committee to ascertain the position or present condition of lands belonging to the State	370	370	376
34	Relative to the funeral obsequies of the late Chief Justice Sprague, deceased	391	391	404
35	Relative to payment of the funeral expenses of the late Chief Justice Sprague, deceased	397	397	
36	Relative to the payment of expenses for equipping, arming, etc., of California Volunteers, in the years eighteen hundred and sixty-two, sixty-three, and sixty-four	405	405	436
37	Relative to authorizing the Secretary of State to return a certain map to W. S. Green	408	408	448
38	Relative to payment of claim of R. K. Wick for funeral expenses of late Chief Justice R. T. Sprague	414	417	441
39	Relative to the construction of a seawall to form a breakwater on the North Pacific Ocean, on the coast of California, for a refuge to vessels	414	414	455

SENATE CONCURRENT RESOLUTIONS.

Number	TITLE.	Introduced	Passed Senate	Passed Assembly
40	Relative to correction of Senate Bill one hundred and seven	431	431	437
41	Relative to return of Senate Bill one hundred and seven	438	438	448
42	Relative to requesting Congress to establish a Signal Service station at Sacramento, California	443	443	455
43	Relative to payment of James Woodworth and Len. Harris for services with State Prison Commission of Senate and Assembly	457	527	546
44	Relative to requesting the Governor to return Senate Bill number two hundred and fifty-seven for the purpose of correcting an error	490	490	497
45	Relative to granting Lieutenant Governor R. Pacheco leave of absence from the State for sixty days	539	539	540
46	Relative to pay of S. C. Denson and E. H. Pomeroy	582	582	697
47	Relative to joint committee to consider the question of salaries of District Attorneys in the State	595	595	630
48	Relative to requesting the Governor to appoint Commissioners to the International Exposition to be held at Vienna in eighteen hundred and seventy-three	619	619	630
49	Relative to distribution of Report of Commission in Lunacy	648	648	670
50	Relative to correcting clerical errors in Senate Bill four hundred and fifty-four	654	654	659
51	Relative to requesting our Representatives to urge the passage of a bill, introduced by Morrill in the United States Senate, for the donation of agricultural lands	720	720	
52	Relative to suspending Joint Rule Fifteen	737	737	
53	Relative to transmitting Senate Bill five hundred and fourteen to Governor for his signature without enrollment	739	739	
54	Relative to printing reports of Agricultural Society	747	747	749
55	Relative to requesting Congress to donate land for asylum and hospital purposes	757	757	

INDEX TO ASSEMBLY BILLS.

ASSEMBLY BILLS. [See Assembly Journal.]

Number.....	TITLE.	Introduced.....	Passed Assembly.....	Passed Senate..
1	An Act to repeal an Act entitled an Act to establish a public street in the City and County of San Francisco to be called Montgomery Avenue, and to take private lands therefor. Wheaton.....	34	145	
2	An Act to repeal an Act entitled an Act authorizing the publication of legal notices in a State paper, printed at the seat of government of the State of California, approved March twenty-first, A. D. eighteen hundred and seventy. Bradley.....	34	197	466
3	An Act to provide the means for the support of an eight months' school in the various school districts of Siskiyou County, California, for the year commencing July first, eighteen hundred and seventy-one. Little.....	34	151	182
4	An Act to repeal an Act entitled an Act to empower the Board of Supervisors of the several counties of the State to aid in the construction of a railroad in their respective counties, approved April fourth, eighteen hundred and seventy. Munday.....	34		
5	An Act to repeal an Act entitled an Act to protect litigants, approved March twenty-ninth, eighteen hundred and seventy. Bradley.....	34	232	466
6	An Act to provide for the erection of county buildings in the County of Mendocino. Mathers.....	113	131	261
7	An Act to amend an Act entitled an Act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one. Freeman.....	114		
8	An Act to repeal an Act entitled an Act to prevent double taxation; also, to repeal an Act entitled an Act to relieve owners of incumbered real estate from double taxation. Berry.....	114	511	

Number	TITLE.	Introduced	Passed Assembly	Passed Senate.
9	An Act to amend an Act entitled an Act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one. Luttrell	114		
10	An Act to regulate fees of the Assistant City and County Attorney of the City and County of San Francisco. McCullough	114	139	326
11	An Act to amend an Act entitled an Act to consolidate certain school districts of the Counties of El Dorado and Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three. Chalmers	114	217	386
12	An Act to amend an Act entitled an Act to change the time for holding municipal elections in the City and County of San Francisco, and to decide the official term of certain officers therein mentioned, approved April second, eighteen hundred and sixty-six. Gray	114		
13	An Act revisory of and supplementary to the Act approved April nineteenth, eighteen hundred and fifty-six, consolidating the government of the City and County of San Francisco. Gray	114	465	
14	An Act granting James H. Clark, County Superintendent of Public Instruction, leave of absence from the State. Berry	114	145	248
15	An Act in relation to sales and conveyances made by the Garden Land Homestead Association. Wheaton	114	260	414
16	An Act to provide and pay for services rendered for the City and County of San Francisco. Gray	114	580	752
17	An Act to create the Eighteenth Judicial District, and for other purposes. Slaughter	134	426	465
18	An Act to amend an Act entitled an Act to authorize the Council of the City of Oakland to lay out, open, and improve streets in said city. Pardee	134	197	230
19	An Act releasing all the tide and overflowed lands belonging to the State in and around Lake Merritt to the City of Oakland. Pardee	134		
20	An Act entitled an Act to authorize the Board of Supervisors of Solano County to levy an additional road tax. Wright	134	135	182
21	An Act to repeal an Act known as the Registry Act, and the Act amendatory thereof. Munday	134		
22	An Act to incorporate the Town of Chico, Butte County. De Haven	134	150	191

Number.....	TITLE.	Introduced.....	Passed Assembly.....	Passed Senate..
23	An Act amendatory of an Act entitled an Act to prevent double taxation. Barker.....	134	150	
24	An Act requiring compensation for causing injury by selling or giving intoxicating liquors. Gray.....	134		
25	An Act to amend an Act concerning the Courts of justice of this State, and judicial officers, approved April twentieth, eighteen hundred and sixty-three. Gray.....	135	150	225
26	An Act to amend an Act entitled an Act concerning the distribution of the reports of the decisions of the Supreme Court and the statutes of this State, approved March third, eighteen hundred and sixty-six. Gray.....	135	150	225
27	An Act to repeal an Act entitled an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, approved April twenty-seventh, eighteen hundred and sixty-three. Hopper.....	135		
28	An Act to appropriate money for the payment of officers and clerks of the Assembly. Luttrell.....	135	139	182
29	An Act granting leave of absence from this State to Thomas H. Bush, County Judge of San Diego County. Dannals.....	135		
30	An Act to authorize the Board of Supervisors of Marin County to issue and sell bonds of said county and to apply the proceeds thereof to the building of a Court House at the county seat of said county. Rice.....	135	203	236
31	An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight. Berry.....	135	349	
32	An Act to repeal an Act to provide for the protection of land in the County of Sutter from overflow, approved April fourth, eighteen hundred and seventy. Berry.....	135	251	543
33	An Act to amend an Act to provide for the protection of certain lands in the County of Sutter from overflow, approved March twenty-fifth, eighteen hundred and sixty-eight. Berry.....	135	321	604
34	An Act to authorize George Chism, his associates and assigns, to construct and maintain a chute and landing at Chism's Landing, near Cuffys Cove, in Mendocino County, also to charge and collect tolls for the use of the same. Mathers.....	138		
35	An Act amendatory of an Act entitled an Act for the more effectual prevention of cruelty to animals. Seibe	138		
36	An Act in relation to the road tax of the County of Alameda collected within the city of Oakland. Pardee.....	138	150	182

Number	TITLE.	Introduced	Passed Assembly	Passed Senate.
37	An Act concerning street railroads in the City of Sacramento. French	138	145	
38	An Act to change the name of Lewin Hierchkowitz to Leopold Harris. Mott of Los Angeles	138		
39	An Act to regulate the salary of the County Judge of San Bernardino County. Slaughter	138		
40	An Act to fix the salary of the County Judge of San Mateo County. Baird	138		
41	An Act to legalize and confirm certain ordinances passed and contracts made by the Board of Supervisors of the City and County of San Francisco relative to the removal of dead animals from the city limits. Seibe..	138	591	
42	An Act to amend an Act to establish a quarantine for the Bay and Harbor of San Francisco and sanitary laws for the City and County of San Francisco. Splivalo....	138	336	
43	An Act to amend Section one of Chapter 383 of the Acts of eighteen hundred and sixty-nine and eighteen hundred and seventy, approved March thirty-first, eighteen hundred and seventy. Rice	138		
44	An Act to authorize County Judges to hold Courts in other counties than those to which they have been elected, in certain cases. Gray	144	210	
45	An Act to fix the compensation of the County Judges of Butte, Tehama, and Colusa Counties. Turner	144		
46	An Act granting leave of absence to P. B. Nagle, District Attorney of Tehama County. Ward	144	239	317
47	An Act to legalize the assessment of the taxes in the County of Santa Cruz. Bockius	145	150	191
48	An Act entitled an Act to authorize School Trustees in Ukiah School District, Mendocino County, to purchase school property. Mathers	145	150	230
49	An Act to facilitate telegraphic communication between America and Asia. Wheaton	145	203	331
50	An Act to separate the office of County Recorder from the office of County Clerk, in the County of Mendocino. Mathers	145	150	208
51	An Act to provide for the government of the County of San Diego. Dannals	145	274	466
52	An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy. Rice	145		
53	An Act to distribute the revenue derived from the tax on dogs in Sonoma County. Munday	149	240	326

Number	TITLE.	Introduced	Passed Assembly	Passed Senate
54	An Act to amend an Act entitled an Act concerning crimes and punishments, approved April sixteenth, eighteen hundred and fifty. Slaughter	149		
55	An Act to compel children to attend school. Spencer	150		
56	An Act to prevent the purchasing of stolen goods from minors. Goodall	149	210	
57	An Act entitled an Act for the relief of Jacob H. Blumenberg. McCullough	150		
58	An Act to change the salary of the County Judge of Fresno County. Walker	150		
59	An Act to fix the time for electing representatives to Congress. Splivalo	150	377	
60	An Act for the relief of O. P. Fitzgerald. Days	150		
61	An Act concerning hogs running at large in the County of Sutter. Berry	150	240	
62	An Act to appropriate money for the relief of James W. Marshall. Bayley	149	306	326
63	An Act concerning certain officers in the County of Merced. Sensabaugh	150	161	226
64	An Act to create the County of Benito, to define its boundaries and provide for its organization. Hayes	154		
65	An Act to authorize the executors of the last will and testament of John C. Keenan, deceased, to mortgage certain real estate of their testator. Hopper	154	161	194
66	An Act supplementary to an Act entitled an Act to provide for the incorporation of colleges, approved April twentieth, eighteen hundred and fifty. Baird	154	169	191
67	An Act defining the time within which certain actions may be brought. Tinnin	155	274	
68	An Act granting W. S. Carter, County Superintendent of Public Schools elect of Shasta County, leave of absence from the State. Andrews	155	231	
69	An Act providing for the formation of mutual fire and marine insurance companies. Welty	155		
70	Proposed amendment to the Constitution of the State of California. Gray	155		
71	An Act for the relief of Presley A. Dorris. Luttrell	160	496	
72	An Act for the protection of minors. Days	155	471	669
73	An Act concerning roads and highways in the County of Yuba. Bradley	155	211	294

Number	TITLE.	Introduced	Passed Assembly	Passed Senate.
74	An Act to amend an Act entitled an Act to provide for the official valuation of life insurance policies, approved April fourth, eighteen hundred and seventy. Wheaton.	155	204	414
75	Proposed amendment to the Constitution of the State of California. French	155		
76	An Act to provide for the payment of the State's portion of the salary of the County Auditor of Mariposa County. Wilcox	160	619	904
77	An Act to authorize the Board of Supervisors of Mariposa County to levy an additional tax for county purposes. Wilcox	161	184	215
78	An Act to amend an Act entitled an Act to amend an Act entitled an Act creating the office of Bailiff of the Supreme Court, approved April sixth, eighteen hundred and sixty-three, approved March sixteenth, eighteen hundred and sixty-four. Spencer	161	184	
79	An Act creating the office of Mail and Express Messenger of the Capitol, defining his duties and compensation therefor. Mott of Sacramento	161		
80	An Act for the relief of D. J. Rudd. Lee	160		
81	An Act to amend an Act entitled an Act concerning County Judges. Hayes	161	184	
82	An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy. Sensabaugh	161	203	
83	An Act to repeal an Act entitled an Act to make, open, and establish a public street in the City and County of San Francisco to be called Montgomery street south, and to take private lands therefor. Splivalo	183	546	752
84	An Act to take preliminary steps for calling a convention to amend, remodel, or propose a new Constitution for the State of California. Days	183	314	
85	An Act to amend an Act entitled an Act concerning grand and trial jurors, approved April twenty-seventh, eighteen hundred and sixty-three. Days	183		
86	An Act amendatory of and supplemental to an Act entitled an Act fixing the number of officers and employés of the Senate and Assembly, to define their duties and establish their pay, approved May twentieth, eighteen hundred and sixty-one. Days	183	378	505
87	An Act concerning the office of County Clerk in and for the City and County of San Francisco. Aldrich	183	232	340

Number.....	TITLE.	Introduced.....	Passed Assembly.....	Passed Senate..
88	An Act to repeal an Act entitled an Act for the relief of the free schools of the Presentation Convent of the City and County of San Francisco, approved April fourth, eighteen hundred and seventy. Meeker.....	183	319	
89	An Act to repeal an Act entitled an Act to provide for a State Board of Equalization. Freeman.....	183		
90	An Act to regulate the pay of grand jurors in the County of Los Angeles. Mott.....	183	217	279
91	An Act to provide for the organization of the Legislature of this State at its regular sessions. Welty.....	183	498	
92	An Act to amend section one hundred and forty-five of an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one. Welty.....	183	226	331
93	An Act to amend an Act to provide for a system of public schools. Barker.....	183		
94	An Act supplemental to an Act entitled an Act granting the right of way over certain lands in the Counties of Lake and Sonoma for the construction of a wagon road, approved March fifteenth, eighteen hundred and sixty-four. Stillwagon.....	183	211	312
95	An Act providing for the compensation of the Board of Education of the City and County of San Francisco. Goodall.....	183		
96	An Act to provide for the construction of a railroad from the Town of San Juan, in Monterey County, to the line of the Pajaro Valley and Gilroy Railroad. Hayes.....	184		
97	An Act to amend an Act entitled an Act to amend an Act to protect agriculture, and to prevent the trespassing of animals upon private property, approved March twenty-fifth, eighteen hundred and sixty-six, approved March twenty-sixth, eighteen hundred and seventy. Dannals.	184		
98	An Act supplementary to and amendatory of an Act entitled an Act to authorize the Board of Supervisors of Marin County to issue and sell bonds of said county, and apply the proceeds thereof to the construction of wagon roads in said county, approved March fourth, eighteen hundred and seventy. Rice.....	184	210	259
99	An Act to amend an Act entitled an Act concerning trade marks and names. Reed.....	190	589	
100	An Act to provide for the appointment of two additional Notaries Public for the County of Solano. Wright.....	190	211	261
101	An Act to provide for the location, construction, and maintenance of public roads in the County of Calaveras. Gibson.....	190	391	465

Number	TITLE.	Introduced	Passed Assembly	Passed Senate..
102	An Act concerning military companies of this State. Hopper.....	190		
103	An Act to repeal an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties of this State so far as it relates to the County of Alameda. Crane.....	195	200	208
104	An Act to increase the revenue of the School Fund. Harvey.....	196	260	436
105	An Act to regulate wharfage and dockage and abolish tolls in the Harbor of San Francisco. Goodall.....	196	587	
106	An Act to repeal section four of an Act entitled an Act to provide and pay for services rendered for the City and County of San Francisco, approved March fourth, eighteen hundred and seventy. Goodall.....	196	320	
107	An Act to repeal an Act entitled an Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco, approved April twenty-fifth, eighteen hundred and sixty-three. Goodall.....	196	416	
108	An Act to repeal an Act entitled an Act authorizing the condemnation of private property within the limits of the public streets of the City and County of San Francisco within the Laguna survey, approved March twenty-fifth, eighteen hundred and seventy. Goodall...	196	231	889
109	An Act to tax and regulate foreign insurance companies doing business in the State of California. Wilcox.....	196		
110	An Act to amend an Act entitled an Act concerning roads and highways in the County of Mendocino, approved March, A. D., eighteen hundred and sixty-eight, and amended February, A.D. eighteen hundred and seventy. Mathers.....	196	220	420
111	An Act to authorize the Board of Supervisors of Mendocino County to issue bonds of said county and apply the same to the construction of wagon roads in said county. Mathers.....	196	285	420
112	An Act to amend an Act entitled an Act to exempt certain property from execution and forced sale. Luttrell.....	196	377	659
113	An Act for the relief of D. B. Akey. Whiting.....	196		
114	An Act to amend an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one. Gray.....	196	304	395
115	An Act to provide for the distribution of the California Reports and for the completion of the sets of the same for judicial officers. Gray.....	196		
116	An Act to amend an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and other Acts amendatory thereto. Gray.....	196	252	326

Number	TITLE.	Introduced	Passed Assembly	Passed Senate.
117	An Act concerning roads in the County of Humboldt. Russ	197	226	396
118	An Act to amend an Act entitled an Act to provide for the appointment and prescribe the duties of guardians, approved April nineteenth, eighteen hundred and fifty-six. Luttrell	201	304	
119	An Act to repeal an Act to create a Board of Water Commissioners in the City of Los Angeles and to define their power and duties. Mott of Los Angeles	201	206	252
120	An Act to regulate practice in the Supreme Court. Mott of Los Angeles	201	559	659
121	An Act supplemental to an Act entitled an Act concerning corporations, passed April twenty-second, eighteen hundred and fifty. Wilcox	201	369	733
122	An Act to encourage the destruction of squirrels and gophers and other wild animals in the County of Los Angeles. Ellis	202	341	393
123	An Act to amend section twenty-one of an Act entitled an Act to regulate fees of office and salaries of certain officers and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy. Freeman	202		
124	An Act for the relief of the City of Oakland. Pardee	202		
125	An Act in relation to life insurance. Wheaton	202	590	710
126	An Act to regulate the forfeiture of policies of life insurance. Wheaton	202	304	350
127	An Act in relation to the office of County Clerk of the City and County of San Francisco. Wheaton	202	287	340
128	An Act to legalize the assessment and equalization of taxes in the County of El Dorado. Chalmers	202	281	
129	An Act to repeal an Act entitled an Act providing for the recording of the papers filed in the Probate Court of the County of Santa Clara, in certain cases, April second, eighteen hundred and seventy. Spencer	202	251	316
130	An Act to amend an Act entitled an Act to protect the wages of labor, approved March twenty-first, eighteen hundred and seventy-one. Eagan	208	390	520
131	An Act to provide for the appointment of two additional Notaries Public for the County of Contra Costa. Galloway	208	273	316
132	An Act to improve the Little Truckee River for rafting and floating logs, timber, and wood, and to provide for collection of tolls thereon. Bell	209	280	

Number	TITLE.	Introduced	Passed Assembly	Passed Senate ..
133	An Act to amend an Act to regulate proceedings in civil cases in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one. Pardee	209	574	655
134	An Act to provide for the construction of a wagon road from and to the Yosemite Valley and Big Tree Grove, in Mariposa County. Wilcox	209	701	
135	An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fourth, eighteen hundred and seventy. Wright	209	403	505
136	An Act to amend an Act entitled an Act to provide for the liquidation of all claims against the State not otherwise provided for by law, approved April first, eighteen hundred and seventy. Mott of Sacramento	209	255	316
137	An Act to provide for the keeping of stallions and other animals. Luttrell	209	234	341
138	An Act relating to a registry and return of marriages, births, deaths, and for establishing local Boards of Health, and for other sanitary purposes. Harvey	209	349	
139	A proposed amendment to the Constitution of the State of California. Barker	209		
140	An Act to amend an Act entitled an Act to regulate descents and distribution, passed April thirteenth, eighteen hundred and fifty. Woodward	209		
141	An Act conferring certain powers on the Board of Supervisors of Lake County. Stillwagon	210	311	341
142	An Act to repeal an Act entitled an Act supplementary to an Act defining the time of commencing civil actions in certain cases, passed May fourth, eighteen hundred and fifty-two, approved April second, eighteen hundred and fifty-five. Splivalo	209		
143	An Act to amend an Act providing for the appointment of additional Notaries Public in Sacramento. Harvey	216	274	933
144	An Act amendatory of an Act to regulate fees of office, approved March twenty-eighth, eighteen hundred and sixty-eight. Jost	216	287	435
145	An Act defining and limiting the time for payment of bounties and relief pay due the volunteers of the State of California and troops furnished the United States as a portion of its quota. McCullough	216	378	
146	An Act to amend an Act entitled an Act to create a Board of Education for the City of Marysville, approved April first, eighteen hundred and seventy. Bradley	216	251	317

Number.....	TITLE.	Introduced.....	Passed Assembly.....	Passed Senate...
147	An Act to amend section one hundred and twelve of the law for the government of common schools. Luttrell....	216		
148	An Act to amend an Act entitled an Act regulating the collection of delinquent taxes in the County of Alameda, approved April fourth, eighteen hundred and seventy, and to refund certain moneys paid thereunder. Crane.	217	228	302
149	An Act to regulate proceedings in civil cases in the Justices' Court of the City and County of San Francisco. Splivalo.....	216	341	414
150	An Act to amend an Act entitled an Act to regulate fees in the City and County of San Francisco, approved February ninth, eighteen hundred and sixty-six. Splivalo..	216	341	414
151	An Act supplementary to an Act entitled an Act to authorize H. H. Smith and others to construct and maintain a turnpike road from Cave Valley to a point on the line of the Central Pacific Railroad at or near Auburn Station, approved March thirty-first, eighteen hundred and sixty-six. Barklage.....	217	305	539
152	An Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one. Judiciary Committee.....		352	506
153	An Act to incorporate the Town of Woodland. Freeman	225	393	
154	An Act concerning roads and highways in the Counties of Plumas and Lassen. Barnes.....	225	288	
155	An Act to amend the Charter of the City of Los Angeles. Mott of Los Angeles.....	225	324	414
156	An Act to provide for the liquidation of certain bonds of the City of Sacramento. French.....	225	341	466
157	An Act to amend an Act entitled an Act concerning jurors in the City and County of San Francisco, approved May twentieth, eighteen hundred and sixty-one. Jost.	225	273	340
158	An Act to require the Tax Collector of the City and County of San Francisco to pay to the City and County Treasurer certain moneys. Jost.....	225		
159	An Act to authorize the Board of Supervisors of the City and County of San Francisco to close up Margaret street, in said city and county. Wheaton.....	225	287	323
160	An Act to protect agriculture and to prevent the trespassing of animals on private property in the County of Los Angeles. Ellis.....	225	279	
161	An Act in relation to crimes and punishments. Ellis.....	225		

Number	TITLE.	Introduced	Passed Assembly	Passed Senate..
162	An Act amendatory of and supplementary to an Act entitled an Act to provide for the better collection of delinquent taxes in the County of Yuba, approved April twenty-third, eighteen hundred and sixty-three. Bradley	225	251	473
163	An Act to provide for the appointment of Reporters of the Supreme Court, defining their duties and compensation, and for the publication and distribution of the decisions of the Supreme Court. Gray	230		
164	An Act for the incorporation of the Town of Alameda. Crane	230		
165	An Act for the relief of John Jackson, Sheriff and ex officio Tax Collector of Trinity County. Tinnin	231	556	631
166	An Act making an appropriation for deficiencies for the twenty-third fiscal year ending the thirteenth day of June, eighteen hundred and seventy-two. Wilcox	231	271	
167	An Act to protect the interests of the State. Munday	231		
168	An Act to confer additional powers on the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize certain appropriations of money by said Board. Jost	231	288	330
169	An Act legalizing the ordinances of the City of Oakland in respect to the penalties therein. Pardee	231	304	350
170	An Act to amend section five of an Act entitled an Act to provide funds to be applied to building a hospital in the City and County of San Francisco, approved March twenty-eighth, eighteen hundred and sixty-eight. Aldrich	231	287	350
171	An Act to authorize the payment to James Carroll of his unpaid salary as Supervisor of Amador County. Eagan	231	600	711
172	An Act to provide for the appointment of two additional Notaries Public for the County of Butte. De Haven	238	270	302
173	An Act to provide for the election of one Assistant Assessor in each election district in the City and County of San Francisco. McCullough	238		
174	An Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to pay a certain claim of J. W. Wesson for lumber furnished for the Point Lobos School House. James	238		
175	An Act granting leave of absence to Grant I. Taggart, Clerk of the Supreme Court. Luttrell	249		
176	An Act in relation to the engrossment of bills and enrollment of laws, and to amend an Act fixing the number of officers and employés of the Senate and Assembly, and			

Number	TITLE.	Introduced	Passed Assembly	Passed Senate..
	to define their duties and to establish their pay, approved May twentieth, eighteen hundred and sixty-one. Johnston	249		
177	An Act to regulate and fix the time for holding the terms of the several Courts of record in and for the County of San Mateo. Baird.....	249	322	354
178	An Act to change the name of the Oakland Cotton Manufacturing Company. Wheaton.....	250	307	323
179	An Act concerning unlawful holding over of dwelling houses, tenement houses, shops, and stores, and land leased therewith, in the City and County of San Francisco. Splivalo.....	249	853	
180	An Act to repeal an Act entitled an Act to prohibit the collection of accounts for liquors sold at retail, approved April twenty-first, eighteen hundred and fifty-eight. Jost.....	250		
181	An Act amendatory of and supplementary to an Act entitled an Act to authorize Robert G. Arthur, his associates or assigns, to construct and keep in repair certain roads upon the San Miguel rancho and adjoining property in the City and County of San Francisco, and to levy and collect tolls thereon, approved April twenty-seventh, eighteen hundred and sixty-two. Jost.....	250	675	851
182	An Act to repeal an Act entitled an Act to create a Board of Levee and Street Commissioners in and for the Town of Pacheco, Contra Costa County, and define their powers and duties, approved March twenty-ninth, eighteen hundred and seventy. Galloway.....	251	322	
183	An Act to restrict the herding of sheep and goats in the County of El Dorado. Bayley.....	251	377	
184	An Act to provide for the opening and improvement of Santa Clara Avenue, in the County of Santa Clara. Spencer.....	258	336	414
185	Proposed amendment to the Constitution of the State of California. Henshaw.....	258		
186	An Act amendatory of and supplementary to an Act approved April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento. Mott of Sacramento.....	259	479	530
187	An Act to create the office of Bank Commissioner, and other matters relating thereto. Splivalo.....	259	817	
188	An Act to provide for the listing and assessing all solvent debts, and to repeal the Act entitled an Act to prevent double taxation, approved April first, eighteen hundred and seventy, and the Act entitled an Act to relieve owners of incumbered real estate from double taxation, approved April fourth, eighteen hundred and seventy. Harvey.....	259	511	643

Number	TITLE.	Introduced	Passed Assembly	Passed Senate..
189	An Act to provide greater security for depositors in banks, savings, and loan societies, and other corporations. McCullough	259		
190	An Act to abolish attorneys' fees and other charges in savings banks. Wilcox	259		
191	An Act to provide for the protection of the City of Sacramento and Swamp Land District Number Two. Johnston	265	384	710
192	An Act to incorporate the City of Sacramento. French..	265		
193	Proposed amendments to the Constitution of the State of California. Barker	265	546	
194	An Act concerning the compensation of certain county officers in the County of Los Angeles. Mott of Los Angeles	266	281	490
195	An Act fixing the salary of the County Judge of Los Angeles County. Mott of Los Angeles	265	281	330
196	An Act to determine who must act as the Chief Justice of the Supreme Court. Munday	265	598	643
197	An Act granting R. S. Bettis, Treasurer of Tehama County, leave of absence. Ward	265		
198	An Act granting leave of absence to W. H. Brown, Sheriff of El Dorado County. Center	266	288	
199	An Act to amend an Act entitled an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty. Luttrell	266		
200	An Act defining the duties of the State Board of Equalization and other revenue officers. Wheaton	269	388	
201	An Act to amend an Act entitled an Act procuring certain conditions for the transaction of insurance business in the State of California, approved March twenty-sixth, eighteen hundred and sixty-eight. Meeker	269		
202	An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and Acts amendatory thereof and supplementary thereto. French	270	416	505
203	An Act to amend an Act entitled an Act to provide for the funding of the indebtedness of Swamp Land District Number One of Sutter County. Berry	270		
204	An Act to repeal an Act entitled an Act in relation to the office of Court Commissioner of the County of San Joaquin, approved March, eighteen hundred and seventy. Woodward	270	288	

Number	TITLE.	Introduced	Passed Assembly	Passed Senate..
205	An Act to provide for the appointment of additional Notaries Public for the County of Humboldt. Russ....	270	378	465
206	An Act to provide a Contingent Fund for the use of the Assembly at the nineteenth session of the Legislature. Wheaton.....		288	294
207	An Act to amend an Act entitled an Act to establish a Paid Fire Department for the City and County of San Francisco, approved March second, eighteen hundred and sixty-six. Goodall.....	278	780	
208	An Act to provide for the support of schools in certain districts in Tehama County. Ward....	278	343	436
209	An Act to legalize, ratify, and confirm certain Acts of the Mayor and Common Council of the City of Los Angeles. Mott of Los Angeles.....	278	341	414
210	An Act for the relief of Emperor Norton the First. Barker.....	278		
211	An Act granting leave of absence to A. W. Potts, County Clerk of Los Angeles. Mott of Los Angeles.....	287		
212	An Act to amend an Act supplementary to and amendatory of an Act entitled an Act to authorize the Board of Supervisors of the several counties of this State to grant the right to construct wharves on the overflowed and submerged lands of this State, approved April eighth, eighteen hundred and fifty-eight, approved March thirty-first, eighteen hundred and seventy. Galloway..	287	392	889
213	An Act to protect agriculture and to prevent trespassing of animals upon private property. Cooper.....	288		
214	An Act to quiet land titles. Sargent of San Joaquin.....			
215	An Act granting leave of absence to Fred. Eastman, County Treasurer elect of Yuba County. Bradley.....	287	322	
216	An Act for the relief of Anna Virginia Wakeman. Splivalo	294	427	753
217	An Act to establish a quarantine for the Bay and Harbor of San Francisco and sanitary laws for the City and County of San Francisco. Jost.....	294		
218	An Act to create the County of Ventura, to establish the boundaries thereof, and to provide for its organization. Cooper.....	294	418	632
219	An Act authorizing certain persons to improve a portion of Kings River, and to erect booms thereon. Walker..	295	343	506
220	An Act to provide for the establishment, maintenance, and protection of roads and highways in Sonoma County. Munday.....	298	353	543

Number	TITLE.	Introduced	Passed Assembly	Passed Senate.
221	An Act for the relief of LeGrand Lockwood. Mott of Sacramento	299		
222	An Act granting leave of absence to A. H. Allen, Treasurer, and A. W. Crocker, District Attorney of Mono County. Bacon.....	299		
223	An Act granting to the counties of this State the poll tax collected in said counties severally for school purposes. Luttrell.....	299	441	
224	An Act for the relief of A. T. Gray, Treasurer and ex officio Tax Collector of El Dorado County.....	299	568	889
225	An Act to authorize the Board of Supervisors of Sutter County to build and furnish a Court House and Jail at the county seat of said county, and to provide a fund therefor. Berry	299	441	506
226	An Act to regulate and prevent the damming up or obstructing the natural outlets, inlets, sloughs, or bayous, of the Sacramento and Feather Rivers. Berry	299		
227	An Act for the relief of the California volunteer officers and sailors of the United States navy who have honorably served within the State of California during the last war. Luttrell.....	303	393	
228	An Act to provide a remedy in certain cases. Aldrich.....	303	877	900
229	An Act to fix the bonds of the Sheriff of the County of Contra Costa. Galloway.....	303	406	466
230	An Act for the repeal of section ten of an Act entitled an Act concerning public roads and highways in the Counties of Santa Cruz and San Diego, approved March twenty-first, eighteen hundred and seventy. Bockius...	303	378	
231	An Act to amend an Act entitled an Act to amend an Act to regulate proceedings in civil cases in Courts of justice in this State, approved April twenty-ninth, eighteen hundred and fifty-one, approved April fourth, eighteen hundred and sixty-four, and all Acts amendatory thereof or supplementary thereto. Seibe.....	314		
232	An Act to create the County of Donner, to define its boundaries and to provide for its organization and maintenance. Bell.....	315		
233	An Act to provide for the payment of certain claims in the Yosemite Valley. Wilcox.....	315	428	656
234	An Act to amend an Act entitled an Act to regulate the interest of money, approved March fifteenth, eighteen hundred and fifty, amended April fourth, eighteen hundred and seventy. Spencer.....	315	406	656
235	An Act to pay for services rendered the State of California. Sargent of San Joaquin.....	315		

Number.....	TITLE.	Introduced.....	Passed Assembly.....	Passed Senate..
236	An Act to appropriate money for the erection of a fence, sidewalk, and other improvements, to the property of the State Asylum for the insane. Sargent of San Joaquin.....	315		
237	An Act to regulate the traveling fees of the Sheriff of the County of Kern. Burckhalter.....	315	441	466
238	An Act to provide for furnishing certain officers of Kern County with certain volumes of the Reports of the Supreme Court of the State of California. Burckhalter..	315		
239	An Act for the relief of purchasers of State lands. Berry..	315	389	543
240	An Act fixing the salary of the District Attorney of Lassen County. Barnes.....	315	383	505
241	An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one. Splivalo.....	315	407	505
242	An Act authorizing the Trustees of Santa Barbara School District, of the County of Santa Barbara, to issue bonds of the said district for the sum of six thousand dollars. Cooper.....	315	390	414
243	An Act to amend an Act entitled an Act authorizing the incorporation of canal companies and the construction of canals. Bockius.....	316	856	
244	An Act for the relief of James B. Travers. Scibe.....	316	427	599
245	An Act for the encouragement of the production of ramie in the State of California. Crane.....	327	546	
246	An Act to authorize the Board of Supervisors of the City and County of San Francisco to close up Walnut Avenue in said city and county. Jost.....	327	579	
247	An Act concerning private wharves. Jost.....	327	547	805
248	An Act to grant to the Town of San Bernardino all the interest of the State in certain real estate property. Slaughter.....	327	542	655
249	An Act to authorize the construction of a marine railway in Marin County. Rice.....	327	790	
250	An Act to declare Lake Earl and its tributaries, in Del Norte County, navigable, and to exempt said waters from entry. Rector.....	327	557	
251	An Act for the protection of game and fish. James.....	327	739	
252	An Act to legalize the assessment of damages by the laying out and opening of Union street, in the Town of Watsonville, Santa Cruz County. Bockius.....	327	378	

Number	TITLE.	Introduced	Passed Assembly	Passed Senate.
253	An Act to amend an Act entitled an Act to incorporate the Town of Watsonville, Santa Cruz County, California, approved March thirtieth, eighteen hundred and sixty-eight. Bockius	327		
254	An Act to prohibit the licensed retailers of intoxicating liquors from selling or giving the same to any persons referred to in this Act. Reed	327	392	
255	An Act for the relief of Chino Reynolds. Munday	327	389	
256	An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one. James	335		
257	An Act to provide for the appointment of a Notary Public to reside at Cloverdale, Sonoma County. Caldwell	335	343	396
258	An Act to provide for the incidental expenses of members of the Legislature of this State during the session thereof. Welty	335	507	
259	An Act to provide a fund for the erection of county buildings in the County of San Bernardino, and other matters relating thereto. Slaughter	335	343	396
260	An Act to amend an Act to provide for a system of common schools, approved April fourth, eighteen hundred and seventy. Harvey	339	453	653
261	An Act to repeal an Act entitled an Act for the incorporation of the City of Anaheim, approved February tenth, eighteen hundred and seventy, and appointing Commissioners to dispose of the property, pay the indebtedness, and settle the affairs thereof. Ellis	339	496	558
262	An Act supplementary to an Act entitled an Act providing for an attorney and counselor in and for the City and County of San Francisco, approved March twenty-fifth, eighteen hundred and sixty-two. Gray	339	427	543
263	An Act to authorize the Board of Supervisors of the City and County of San Francisco to supply said city with pure fresh water for its use and for the use of the inhabitants thereof. Wheaton	339	801	
264	An Act to restrict and regulate the sale at retail of alcoholic liquors. Barker	340		
265	An Act to authorize the District Courts of this State to appoint assistant counsel in the prosecution of criminals and providing compensation therefor. French	340	453	
266	An Act to amend an Act entitled an Act to amend an Act concerning divorces, passed March twelfth, eighteen hundred and fifty-one, approved March twelfth, eighteen hundred and seventy-one. French	340	478	

Number.....	TITLE.	Introduced.....	Passed Assembly.....	Passed Senate.....
267	An Act to amend an Act entitled an Act to regulate fees and salaries of officers and defining their duties, in the County of El Dorado, and other matters relating thereto, approved March fifth, eighteen hundred and seventy. Center.....	340		
268	An Act to authorize the Central Pacific Railroad Company to construct and maintain until the first of November, eighteen hundred and seventy-two, a temporary bridge, without a draw, across the Sacramento River at the place where the California and Oregon branch of the railroad of said company crosses said river, near the Town of Tehama, in the County of Tehama. Luttrell.....	340	382	453
269	An Act amendatory of and supplementary to an Act entitled an Act to authorize the incorporation of canals and ditches, approved April second, eighteen hundred and seventy. De Haven.....	347	587	838
270	An Act for the protection of fish in the waters of Butte Creek, in the County of Butte. De Haven.....	347	390	466
271	An Act to provide for the payment of fees in the County of Butte. De Haven.....	348	497	543
272	An Act to create the County of Surprise, define its boundaries, and provide for its organization. Luttrell.....	348		
273	An Act supplemental to an Act entitled an Act to authorize the County of Sonoma to donate bonds to a railroad company, and to provide for the payment of the same, approved March eighteenth, eighteen hundred and sixty-eight. Munday.....	348	402	465
274	An Act to amend an Act entitled an Act to authorize the Exempt Fire Company of San Francisco to receive and manage the San Francisco Fire Department Charitable Fund, and receive from the City and County of San Francisco a house and lot for its use, approved April second, eighteen hundred and sixty-six. Reed.....	349	545	655
275	An Act authorizing the Secretary of State to furnish County Clerks of Alpine, Inyo, Kern, Lake, and Sutter with certain volumes of the California Supreme Court Reports. Berry.....	348	426	
276	An Act supplementary to an Act creating the office of Insurance Commissioner, approved March twenty-sixth, eighteen hundred and sixty-eight. Wilcox.....	348	545	
277	An Act to prevent hunting and shooting on private grounds. Rice.....	348	428	539
278	An Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one. Spencer.....	348	453	539

Number	TITLE.	Introduced	Passed Assembly	Passed Senate..
279	An Act to amend an Act entitled an Act concerning the Courts of justice of this State and judicial officers, approved April twentieth, eighteen hundred and sixty-three. Spencer	348	453	
280	An Act to provide for the cemeteries in the County of Tehama. Ward	348		
281	An Act concerning the percentage upon delinquent taxes on real property in the City and County of San Francisco. Meeker	348	498	
282	An Act to allow certain persons therein named, and their associates and assignees, to take possession of and improve a certain road in the County of Sacramento. Mott of Sacramento	359	496	710
283	An Act concerning the payment of fees and salaries of officers in the Counties of Yolo and Sutter. Freeman	359	390	
284	An Act to protect agriculture, and to prevent the trespassing of animals upon private property. Woodward	359	598	765
285	An Act to define the boundary line between the Counties of Sacramento and Yolo. Johnston	359		
286	An Act supplemental to and amendatory of an Act to incorporate the Town of Chico, Butte County, California, approved January, eighteen hundred and seventy-two. De Haven	359	390	538
287	An Act to prevent persons passing through inclosures and leaving them open, and tearing down fences to make passage through inclosures. Sargent of San Joaquin	359	508	656
288	An Act to incorporate the Town of Cloverdale, Sonoma County, California. Caldwell	360	441	489.
289	An Act in relation to fence and pound districts in the County of Sonoma. Munday	362	407	539
290	An Act to empower and authorize the Commissioners of the former Pueblo or City of Sonoma to sell or convey a portion of the land known as the Pueblo Grant of Sonoma. Munday	362	414	606
291	An Act to repeal an Act entitled an Act concerning the revenue, approved March twenty-fifth, eighteen hundred and seventy. Bayley	368		
292	An Act to prevent the propagation of Canada thistles in the County of Humboldt. Russ	368	429	506
293	An Act to separate the office of County Recorder from the office of County Clerk in the County of Marin. Rice	368		
294	An Act amendatory of and supplementary to an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, approved April twenty-ninth, eighteen hundred and fifty-one. Spencer	368	452	

Number.....	TITLE.	Introduced.....	Passed Assembly.....	Passed Senate.
295	An Act concerning assessment of property in Tehama County. Ward.....	368		
296	An Act to authorize the Board of Supervisors of the County of Tehama to levy a tax for the enlargement and preservation of Red Bluff Cemetery, and for the improvement and preservation of the Tehama Cemetery. Ward	368		
297	An Act to create the office of Constable for the City and County of San Francisco. Spilvalo.....	368		
298	An Act to confirm the title to a certain lot of land in the City and County of San Francisco to the Trustees of the Associated Veterans of the Mexican War, and to authorize an exchange of said land for certain property belonging to said city and county, or for a lease thereof. Reed.....	369	545	643
299	An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and repeal certain Acts in relation thereto, approved March fifth, eighteen hundred and seventy. Spencer.....	369		
300	An Act to regulate fees of County Clerk of Santa Clara County. Spencer.....	369	463	
301	An Act to amend an Act entitled an Act to provide for the establishment, maintenance, and protection of public roads in Napa County, approved March thirty-first, eighteen hundred and sixty-six, and an Act supplemental to and amendatory of said Act, approved February thirteenth, eighteen hundred and sixty-eight. Stillwagon.....	369	507	
302	An Act for the relief of M. V. Owen, Deputy Sheriff of Solano County. Wright.....	376		
303	An Act to authorize the City of Vallejo to borrow money. Wright.....	376	427	558
304	An Act amendatory of an Act entitled an Act to provide revenue for the support of the Government of this State, approved May seventeenth, eighteen hundred and sixty-one, approved February twenty-ninth, eighteen hundred and sixty-eight. Burckhalter.....	376		
305	An Act to provide for funding the indebtedness of the reclamation and levee districts of this State. Harvey....	376	551	832
306	An Act to extend the time in which Swamp Land District Number Seventy shall complete their works of reclamation. Berry.....	376	569	764
307	Proposed amendments to the Constitution relative to the liability of stockholders, incorporations, and associations. Gray.....	376		
308	An Act to increase the Police force of the City and County of San Francisco. James.....	376	580	753

Number	TITLE.	Introduced	Passed Assembly	Passed Senate..
309	An Act to incorporate the City of Visalia. Burckhalter...	376		
310	An Act establishing rewards for detection of criminals. Lofton.....	377		
311	An Act to establish a State Printing Office, and to create the office of Superintendent of State Printing. Luttrell.	381	574	765
312	An Act to confirm a certain contract of the sale of stock held by the County of Santa Clara in the Western Pacific Railroad Company, and to give effect to the same, and amendatory of an Act entitled an Act to authorize the Board of Supervisors of Santa Clara to take and subscribe one hundred and fifty thousand dollars to the capital stock of the Western Pacific Railroad Company, and to provide for the payment of the same and other matters relating thereto, approved April fourteenth, eighteen hundred and sixty-three. Sargent of Santa Clara.....	381	390	465
313	An Act concerning the office of Tax Collector of Santa Cruz. Bockius.....	381		
314	An Act to regulate the fees of office of the Clerk of Santa Cruz. Bockius.....	381	569	
315	An Act defining the duties of the County Assessor of Santa Clara. Franck.....	381	545	733
316	An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one. Burckhalter.....	387	598	659
317	An Act to provide for the protection of an open canal through Channel street, in the City and County of San Francisco. Jost.....	388	747	875
318	An Act relative to the assessment of taxes in the County of Lassen. Barnes.....	388		
319	An Act to prevent hogs from running at large in the Town of Shasta. Andrews.....	388	419	490
320	An Act to authorize the corporate authorities of the Town of Santa Clara to take and hold in trust and convey certain lands. Franck.....	388	407	617
321	An Act to reincorporate the Town of Santa Clara. Franck.	388	417	557
322	An Act extending the time for payment of taxes in the County of Contra Costa. Galloway.....	388	560	
323	An Act requiring railroad companies to construct barways and additional cattle guards along the lines of railroads. Sargent of San Joaquin.....	388		
324	An Act concerning actions for libel. Splivalo.....	388	617	733
325	An Act regulating location and sale of the sixteenth and thirty-sixth sections and lands in lieu thereof. Crane..	397		

Number	TITLE.	Introduced	Passed Assembly	Passed Senate..
326	An Act to pay certain indebtedness of Calaveras County. Schrack	397		
327	An Act to amend an Act entitled an Act to provide for the assessment and collection of taxes in the County of Placer, approved March second, eighteen hundred and seventy. Welty	397	407	490
328	An Act to amend an Act entitled an Act to amend an Act entitled an Act for the better protection of game, passed May fifteenth, eighteen hundred and fifty-four, approved April fourth, eighteen hundred and seventy. Bradley	397		
329	An Act to authorize and regulate the issue of licenses to pawnbrokers, junk dealers, and dealers in second hand clothing, wares, and merchandise, in the City and County of San Francisco. Splivalo.....	397		
330	An Act to provide a fund for the liquidation of the debts of this State, and counties of this State, and for the better support of the common school system of this State. Days	397		
331	An Act to authorize the Board of Supervisors of Tehama County to levy a special tax for school purposes in the school district of Red Bluff, in Tehama County. Ward	397	542	643
332	An Act authorizing the construction of and maintaining of a bridge across Petaluma Creek, in the City of Petaluma. Munday	397	789	
333	An Act in relation to the Board of Education of the City and County of San Francisco. Wheaton.....	406	660	764
334	An Act for the relief of Henry N. Morse, Sheriff of Alameda County. Pardee.....	406	568	710
335	An Act to amend an Act approved March twelfth, eighteen hundred and sixty-eight, entitled an Act to provide for the drainage of the City of Sacramento and of the lands of Swamp Land District Number Two. Johnston	406	840	889
336	An Act to repeal an Act entitled an Act to authorize the Controller of State to issue duplicate warrants, approved January twenty-sixth, eighteen hundred and seventy-two. Jost.....	406	568	753
337	An Act concerning elections in this State. Little.....	406		
338	An Act amendatory of and supplemental to an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties in this State, and to provide a bounty therefor. Sargent of San Joaquin.....	406	498	543
339	An Act to fix the compensation of the Board of Supervisors of the County of Santa Clara. Franck.....	406		

Number	TITLE.	Introduced	Passed Assembly	Passed Senate
340	An Act to quiet the title of lands purchased from the State. Splivalo	406		
341	An Act to regulate the taxation of land and other property in this State. Turner	406		
342	An Act to divide the State into Congressional Districts		519	875
343	An Act to define the Senatorial and Assembly Districts of the State, and to apportion the representation thereof		584	
344	An Act regulating the rights of property of married women. Splivalo	415	560	851
345	An Act for the correction of errors and omissions in the official proceedings relative to certain contracts for street work in the City and County of San Francisco. Meeker	415		
346	An Act to provide funds to be applied to building a House of Correction in the City and County of San Francisco, and to authorize the construction of such House of Correction. Meeker	415	769	932
347	An Act to establish a quarantine for the City and County of San Francisco. Meeker	415		
348	An Act amendatory of an Act entitled an Act concerning crimes and punishments. Pardee	415	646	
349	An Act to amend an Act entitled an Act to provide for the management and sale of lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight. Harvey	415	528	711
350	An Act supplementary to the Act of April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento. French	415	559	851
351	An Act in relation to election proclamations, and to punish election frauds. Ellis	415		
352	An Act to amend an Act entitled an Act to provide for the payment of warrants against the Hospital Fund of Klamath County, approved January nineteenth, eighteen hundred and seventy. Rector	415	428	505
353	An Act to remedy defects in certain county records. Everett	415	542	655
354	An Act to submit the question of the removal of the county seat of Kern County to the qualified voters thereof. Burckhalter	415	557	734
355	An Act to amend an Act entitled an Act to provide for the maintenance of indigent sick in certain townships herein named in Siskiyou County, passed March twenty-fourth, eighteen hundred and seventy. Luttrell	415	429	505

Number	TITLE.	Introduced	Passed Assembly	Passed Senate..
356	An Act to amend an Act amendatory of and supplemental to certain Acts therein named relating to the City and County of San Francisco. Seibe.....	415		
357	An Act amendatory of an Act entitled an Act for the more effectual prevention of cruelty to animals, approved March thirtieth, eighteen hundred and sixty-eight. Seibe.....	416	515	655
358	An Act to establish pilot regulations for the port of San Diego. Dannals.....	421	555	719
359	An Act to regulate fees of office in the County of Siskiyou. Luttrell.....	421	536	
360	An Act to extend the time allowed to the Southern Pacific Railroad Company and the Western Pacific Railroad Company in which to make the terminus of their roads upon certain lands given to them by the State for that purpose in the City and County of San Francisco, approved April second, eighteen hundred and seventy. Aldrich.....	421	452	
361	An Act to appropriate money for the payment of certain equitable claims against the State. Connolly.....	421		
362	An Act to submit to the qualified electors of Alpine County the question of relocating the county seat of such county. Coleman.....	421	542	710
363	An Act to provide for the construction and protection of the Alameda road. Spencer.....	421	428	643
364	An Act to fix the salary of the Superintendent of Public Schools in the County of Plumas, and to prescribe the manner of paying the same. Barnes.....	421	579	
365	An Act to fund a certain indebtedness due and owning by the County of Contra Costa to Trustem C. Gilman. Reed.....	425		
366	An Act to amend an Act entitled an Act to amend an Act to provide for a system of common schools, approved April fourth, eighteen hundred and seventy. Wheaton.	425	788	
367	An Act to pay the claim of James T. Boyd. Wheaton...	425	556	710
368	An Act to legalize the name of Lake Crook. Luttrell.....	425		
369	An Act to encourage the destruction of squirrels and gophers. Crane.....	425	546	710
370	An Act in relation to the assessment and levy of taxes in Calaveras County. Gibson.....	440	546	
371	An Act in relation to the Board of Supervisors in the County of Sacramento, and more particularly defining its powers and duties. Johnston.....	440	462	506

Number	TITLE.	Introduced	Passed Assembly	Passed Senate..
372	An Act to define the northern boundary line of Napa County. Barker	440	493	617
373	An Act supplementary to an Act entitled an Act concerning roads and highways in the Counties of Shasta and Trinity, approved March twenty-eighth, eighteen hundred and sixty-three. Andrews	440	457	539
374	An Act to prevent hunting and shooting and the felling of trees on private grounds in the Counties of Santa Barbara and San Luis Obispo. Cooper	440	579	
375	An Act to provide against the double taxation of animals. Spencer	440		
376	An Act appropriating funds to enlarge the Home for the Care of the Inebriate, located in the City and County of San Francisco. James	440	619	
377	An Act to authorize the Board of Supervisors of the City and County of San Francisco to sell and convey a certain piece of land. James	440	461	543
378	An Act to authorize the Board of Supervisors of Yolo County to levy special taxes for county purposes. Freeman	441	537	558
379	An Act to authorize the Treasurer of San Joaquin County to transfer certain funds to the General School Fund of said county. Woodward	441	546	655
380	An Act concerning roads and highways in the County of El Dorado. Chalmers	441	456	643
381	An Act to provide for building a bridge across Alameda Creek, in the County of Alameda. Crane	451	457	
382	An Act to amend an Act to change the time for holding municipal elections in the City and County of San Francisco, and to define the official terms of certain officers therein mentioned, approved April second, eighteen hundred and sixty-six. Reed	451	675	765
383	An Act to provide and pay for services rendered for the City and County of San Francisco. Splivalo	451	674	
384	An Act to confirm Order Number One Thousand and Four, passed by the Board of Supervisors of the City and County of San Francisco. Splivalo	451	619	752
385	An Act to authorize the Board of State Harbor Commissioners to set apart a portion of the water front of the City and County of San Francisco for certain purposes. Splivalo	451	602	861
386	An Act supplemental to and amendatory of an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight. Woodward	451	757	900

Number	TITLE.	Introduced	Passed Assembly	Passed Senate
387	An Act to enable the Board of Supervisors of Sacramento County to refund certain moneys. Johnston	452	633	
388	An Act to provide for enlarging and improving the water works of the City of Sacramento, and to protect the city from fires. French	452	745	822
389	An Act to prohibit the carrying of concealed weapons. Seibe	452		
390	An Act concerning animals hereafter found running at large in the City and County of San Francisco. Seibe.	452	605	
391	An Act to regulate and define fees in the Sheriff's office in the County of Mendocino. Mathers	452	646	850
392	An Act supplemental to an Act entitled an Act to raise a fund for the improvement of Napa City, approved January twenty-fourth, eighteen hundred and seventy. Stillwagon	452	559	655
393	An Act to provide revenue for the support of the government of the State and counties. Jost	458		
394	An Act to authorize the City of San José to issue bonds to provide sewerage for said city. Spencer	458	555	643
395	An Act to incorporate the City of San José. Spencer	458	555	643
396	An Act to authorize the Board of Supervisors of Los Angeles County to locate and build bridges across the Los Angeles River and the new San Gabriel and old San Gabriel Rivers, in Los Angeles County, and to issue bonds for the payment thereof. Mott of Los Angeles	458	462	506
397	An Act to provide for the county printing of Monterey County. Hayes	458	555	
398	An Act to amend an Act entitled an Act to amend an Act entitled an Act to fix the compensation of the District Attorney of the County of Contra Costa, approved February ninth, eighteen hundred and sixty, approved March thirty-first, eighteen hundred and sixty. Galloway	458	646	753
399	An Act to provide for the location, construction, and maintenance of public roads in Colusa County. Ward	458		
400	An Act to enforce the responsibilities of stockholders in corporations as prescribed by the Constitution, and to provide for the prompt payment of demands against such corporations. Gray	458	645	
401	An Act relative to certain county warrants in the Treasury of Sacramento. Hopper	466	508	569

Number	TITLE.	Introduced	Passed Assembly	Passed Senate..
402	An Act amendatory of an Act entitled an Act to provide for binding minors as apprentices, clerks, servants, etc., approved April tenth, eighteen hundred and fifty-eight. Wilcox	466	569	659
403	An Act for the relief of William S. Brown. Munday	466	550	621
404	An Act to regulate fees of office and salaries of officers in San Bernardino County. Slaughter	467	492	718
405	An Act to raise revenue in Plumas County for hospital and other purposes. Barnes	467	559	643
406	An Act to authorize the County of Sacramento to issue bonds. Mott of Sacramento	467	508	558
407	An Act to provide the City of Sacramento with a better supply of water. Mott of Sacramento	467	745	822
408	An Act to provide for the liquidation of the outstanding indebtedness of Levee District Number One, of Sutter County. Wilcox	473		
409	An Act to encourage the culture and manufacture of cotton in the State of California. Wilcox	473		
410	An Act supplemental to an Act to regulate fees and salaries in the County of Calaveras, and to define the duties of certain officers in said county, approved March fourth, eighteen hundred and seventy. Gibson	473	502	539
411	An Act the better to define the boundaries between the Counties of Humboldt, Mendocino, Trinity, and Klamath. Tinnin	474	567	851
412	An Act to cede a certain property in the Town of Trinidad. Rector	474	664	
413	An Act to incorporate the Town of San Diego. Dannals..	474	545	569
414	An Act prohibiting corporeal punishment in the public schools in this State. Bockius	474		
415	An Act to amend an Act supplementary to an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, and an Act amendatory thereof and supplementary thereto, approved March twenty-eighth, eighteen hundred and sixty-eight. Everett	474	578	710
416	An Act to authorize the Board of Education of the City and County of San Francisco to allow the Auditor of said city and county to audit and the Treasurer of said city and county to pay mechanics for labor performed and materials furnished for the erection of certain school houses in said city and county. Reed	477	853	915
417	An Act for the relief of Morris Woolf. Hopper	477	580	610

Number	TITLE.	Introduced	Passed Assembly	Passed Senate..
418	An Act to legalize and confirm the election of School Directors in the City of Vallejo, and other matters. Wright	477	574	
419	An Act amendatory of and supplementary to an Act entitled an Act to establish and define the powers and duties of the Board of Education of the City of Vallejo, approved March twenty-fifth, eighteen hundred and seventy. Wright	477	574	753
420	An Act concerning the salary of the County Assessor of Butte County. De Haven	477	540	569
421	An Act to provide for the term of the District Court of the First Judicial District of the State of California, in and for the County of Monterey. Hayes	477		851
422	An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto. Brown	491	507	539
423	An Act to amend an Act entitled an Act to regulate fees and salaries in the County of Calaveras, and to define the duties of certain officers in said Calaveras County, approved March fourth, eighteen hundred and seventy. Brown	491	568	656
424	An Act to prevent animals from running at large in certain portions of Contra Costa County. Galloway	491	627	851
425	An Act to improve Prosser Creek for rafting and floating logs, timber, and wood, and to provide for the collection of tolls thereon. Bell	491		
426	An Act in relation to the residence of the Justices of the Supreme Court. Gibson	491		
427	An Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one. Baird	491	605	
428	An Act prohibiting noisy and barbarous amusements on the Christian Sabbath. Jost	491		
429	An Act to authorize the Board of Supervisors of Merced County to levy a special tax for the purpose of constructing a bridge across the Merced River. Sensabaugh.	491	616	659
430	An Act for the preservation of fish in the waters of Siskiyou County. Little	492	569	655
431	Proposed amendment to the Constitution. Hopper	491	816	
432	An Act amendatory of and suplementary to an Act entitled an Act to amend an Act to provide for a better system of common schools, approved April fourth, eighteen hundred and seventy. Wright	491	651	
433	An Act in relation to homesteads. Mott of Sacramento.	491	651	

Number	TITLE.	Introduced	Passed Assembly	Passed Senate..
434	An Act to provide for the finishing of the State Normal School building, and paying the indebtedness incurred in the construction thereof. Mott of Sacramento.....	491	614	691
435	An Act to amend an Act entitled an Act to authorize the formation of corporations to provide the members thereof with homesteads or lots of land suitable for homesteads, approved May twentieth, eighteen hundred and sixty-one. Wheaton.....	491		
436	An Act to provide for the payment of certain Controller's warrants drawn upon the State Treasury. Harvey....	495	690	899
437	An Act to provide additional members of the Board of Supervisors for the County of Sonoma. Munday.....	495	502	
438	An Act for the redemption of the bonded indebtedness of Calaveras County. Gibson.....		597	734
439	An Act to authorize the Trustees of the San Buenaventura School District, of the County of Santa Barbara, to issue bonds for the said district for the sum of two thousand dollars. Cooper.....	495	568	669
440	An Act to provide for the location, construction, and maintenance of public roads in the County of Nevada. Everett.....	495	573	710
441	An Act to authorize the Mayor of the City and County of San Francisco to convey certain lands to the San Francisco Lying-in Hospital and Foundling Asylum. Wheaton	495		
442	An Act to protect free bridges from injury. Henshaw.....	496	579	
443	An Act to remedy duplicate payments of taxes in the City and County of San Francisco. Splivalo.....	495	619	
444	An Act to pay Joseph Neumann for services rendered the State. Eagan.....			
445	An Act for the relief of John Melville. Bockius.....	503		
446	An Act to provide for the division of Yolo County into assessment districts, for the election of District Assessors, and to define their duties, liabilities, and compensation. Freeman.....	503	515	
447	An Act in relation to mortgages on growing crops. Freeman.....	503	579	
448	An Act to provide for the liquidation and payment of the indebtedness of Yolo School District in the County of Yolo. Freeman.....	503	568	599
449	An Act to amend an Act entitled an Act to establish and define the powers and duties of the Board of Education of the City of Oakland. Pardee.....	503	515	543

Number	TITLE.	Introduced.....	Passed Assembly	Passed Senate..
450	An Act to provide for the purchase of stationery, blank books, light, fuel, furniture, etc., for State officers and members of the Legislature. Welty.....	503	602	
451	An Act to amend an Act entitled an Act concerning roads and highways in the County of Alameda, approved March twenty-fourth, eighteen hundred and sixty-two. Crane	503	516	558
452	An Act to increase the number of Notaries Public in Plumas County. James.....	503	568	617
453	An Act granting certain privileges to the North Beach and Mission Railroad Company. Splivalo.....	503	619	861
454	An Act to authorize the construction of a public school house in Yuba School District, in the County of Sutter, and to provide funds therefor. Berry.....	503	519	558
455	An Act reserving all lands within the State belonging to the State of California for sale to actual settlers only. Barker.....	503	632	
456	An Act calling in the deferred payments and moneys due upon lands heretofore applied for or purchased from the State of California on credit. Barker.....	504	767	
457	An Act to facilitate the settlement of vacant lands in the State of California. Barker.....	504	788	
458	An Act to amend an Act entitled an Act concerning roads and highways in the County of Santa Clara, approved March thirty-first, eighteen hundred and sixty-six, and to repeal an Act entitled an Act to amend an Act entitled an Act concerning roads and highways in the County of Santa Clara, approved March thirty-first, eighteen hundred and sixty-six, approved March fourteenth, eighteen hundred and sixty-eight. Franck.....	504	616	753
459	An Act to transfer to the Board of Supervisors of the City and County of San Francisco, the management, control, and direction of the affairs of the Industrial School Department of said city and county. Reed.....	504	619	752
460	An Act to enforce the collection of license taxes. Andrews	504	580	753
461	An Act granting certain lands and buildings, known as the State Reform School property, to the City of Marysville. Bradley.....	504	769	903
462	An Act for the relief of Martha Buckalew, executrix of the last will and testament of Benjamin R. Buckalew, deceased. Rice	504		
463	An Act to confirm title to purchasers of certain salt marsh and tide lands, in the Counties of Marin and Contra Costa. Rice.....	504		

Number	TITLE.	Introduced	Passed Assembly	Passed Senate..
464	An Act to amend section thirteen of an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy, so far as the same applies to the County of Monterey. Hayes...	504	537	558
465	An Act to authorize the Masonic and Odd Fellows Cemetery Association, and the citizens of Contra Costa County, to remove human remains. Galloway.....	504	601	659
466	An Act for the relief of R. H. McIlroy. Sargent of Santa Clara.....	504		
467	An Act to amend an Act entitled an Act to incorporate the City of Gilroy, approved March twelfth, eighteen hundred and seventy. Sargent of Santa Clara.....	504		
468	An Act to provide funds for the school department of the City of Oakland. Pardee.....	518	602	668
469	An Act to amend an Act entitled an Act to provide for the improvement of public parks in the City and County of San Francisco, approved April fourth, eighteen hundred and seventy. Aldrich.....	518	789	861
470	An Act in relation to the investment of trust moneys. Gray.....	518		
471	An Act to improve and protect the Yosemite Valley and Big Tree Grove property, donated to the State of California by the Congress of the United States, and for other purposes. Edgar.....	518		
472	An Act in relation to certain officers in Tehama County. Ward.....	518	617	850
473	An Act to repeal an Act entitled an Act to provide for the improvement of the rivers and streams of Santa Clara County, approved April fourth, eighteen hundred and seventy. Franck.....	518	580	874
474	An Act conferring upon the Board of Supervisors of the several counties of the State the right to condemn private property for public uses. Franck.....	518		
475	An Act concerning roads and highways in Sacramento County. Johnston.....	518		
476	An Act to provide for the payment of certain demands against the Copying Fund of the Assembly during the twelfth session, and not paid for want of funds. Johnston.....	518		
477	An Act to amend an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to open and grade Market street, in said city, from the intersection of said street with Valencia street to its intersection with Seventeenth street, and to con-			

Number	TITLE.	Introduced	Passed Assembly	Passed Senate..
	demn private property for the roadway of said street, approved April second, eighteen hundred and seventy. Splivalo	518	714	860
478	An Act to provide for the establishment of a cabinet department in the State Library. Crane	519	736	904
479	An Act to amend an Act entitled an Act to regulate the settlement of the estates of deceased persons. Crane	519		
480	An Act to amend an Act entitled an Act defining the legal distances from each county seat to the Capitol, Lunatic Asylum, and State Prison, approved April twenty-fourth, eighteen hundred and fifty-eight. Sargent of Santa Clara	519	634	753
481	An Act to establish a paid fire department in the City of Sacramento. Mott of Sacramento	519	682	838
482	An Act to provide for the organization of an exempt firemen's association in the City of Sacramento. Mott of Sacramento	519	699	838
483	An Act to prevent hogs and goats from running at large in the Town of Knight's Landing, County of Yolo. Freeman	523	579	710
484	Proposed amendment to Article VI, section five, of the Constitution. Gray	523		
485	An Act creating the Nineteenth and Twentieth Judicial Districts, and defining the Third and Fourth, Twelfth and Fifteenth Judicial Districts. Bockius	523	566	618
486	An Act declaring a certain creek in Washington Township, Alameda County, navigable. Pardee	523	548	617
487	An Act to provide for the payment of a deficiency in the Department of Public Instruction. Splivalo	523	605	874
488	An Act for the relief of D. Bottiler. Ellis	523	579	851
489	An Act to end useless litigation, and supplemental to an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, and the Acts supplementary thereto. Rice	523	580	
490	An Act to provide for the opening and improvement of Santa Clara Avenue, in the County of Santa Clara. Spencer	523	627	655
491	An Act to provide for the construction of a wagon and turnpike road in Monterey County. Hayes	523		
492	An Act concerning assessments upon the stock of corporations. Mott of Los Angeles	537	691	
493	An Act in relation to interpreters before grand juries. Mott of Los Angeles	537	651	752

Number	TITLE.	Introduced	Passed Assembly	Passed Senate..
494	An Act to authorize George W. Chesley and his associates and assigns to lay gas pipes in the City of Sacramento. Hopper	537	759	875
495	An Act to legalize and make valid all the proceedings had in the Probate Court of Amador County in the matter of the estate of Cecilia Maria, deceased. Eagan	538		
496	An Act to repeal section two of an Act amendatory of and supplementary to an Act to prevent certain animals from running at large in Napa City, approved April seventeenth, eighteen hundred and sixty-three. Stillwagon	538	580	669
497	An Act to add an additional section to the Penal Code. Wheaton	538		
498	An Act concerning the appointment of an Interpreter in and for the County of San Francisco. Splivalo	538	619	
499	An Act requiring Sheriffs to wear a badge of office. Splivalo	538	660	851
500	An Act to allow aliens and foreign corporations to hold and convey real and personal property under certain circumstances. Wheaton	550		
501	An Act to provide for settling the boundary lines between the Counties of Kern and Tulare. Burckhalter	550	645	
502	An Act to provide for the construction and maintenance of free bridges in the County of Trinity, and to set apart the fund therefor. Timmin	550	581	668
503	An Act to authorize an additional levy of county taxes in the County of Trinity. Timmin	550	581	669
504	An Act to amend an Act entitled an Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eight, eighteen hundred and sixty-eight. Harvey	550		
505	An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight. Harvey	550	660	
506	An Act requiring Boards of Education and School Trustees to equalize the salaries of male and female teachers in the public schools of this State. Barnes	551		
507	An Act amendatory of and supplemental to an Act entitled an Act concerning roads in the County of Marin, approved March thirteenth, eighteen hundred and sixty-eight. Rice	551	672	761

Number	TITLE.	Introduced	Passed Assembly	Passed Senate..
508	An Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one. Ellis	550		
509	An Act supplementary to an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one. Gray	550	605	
510	An Act to amend an Act entitled an Act to provide for the maintenance and supervision of common schools. Chalmers	550		
511	An Act supplementary to an Act entitled an Act to establish a Municipal Criminal Court in the City and County of San Francisco, approved March thirty-first, eighteen hundred and seventy. Splivalo	551		
512	An Act amendatory of and supplementary to an Act entitled an Act to regulate and license places of public amusement, approved April thirteen, eighteen hundred and sixty-three. Rector	550		
513	An Act to authorize the Mayor of the City and County of San Francisco to convey certain lands to the San Francisco Lying-in Hospital and Foundling Asylum. Wheaton	551	619	752
514	An Act to repeal an Act entitled an Act to provide for the better care of the indigent sick in the County of San Bernardino, approved March sixth, eighteen hundred and sixty-two. Slaughter	553	661	719
515	An Act to incorporate the Town of Fort Jones, Siskiyou County. Luttrell	557	573	656
516	An Act to permanently locate the county seat of the County of Monterey by the qualified electors of said county. Hayes	557	618	761
517	An Act in reference to the County Assessor of Napa County. Stillwagon	566	634	711
518	An Act concerning roads and highways in the County of Fresno and to repeal a certain Act in relation thereto. Walker	566	618	851
519	An Act in relation to the death penalty. Hayes	566	682	
520	An Act to legalize and confirm the election of Roadmasters in the respective road districts in Monterey County. Hayes	566	581	
521	An Act to regulate and fix the salary of the Assessor of Monterey County. Hayes	566	651	899
522	An Act to empower the City of Stockton to excavate, widen, and open the Mormon Slough and to provide funds therefor. Sargent of San Joaquin	566	661	752
523	An Act concerning the assessment of animals. Barker	566		

Number	TITLE.	Introduced	Passed Assembly	Passed Senate.
524	An Act making the appropriation for translating into Spanish the several State documents and reports ordered during the present session of the Legislature. Cooper	573	739	861
525	An Act to change the name of Dunbar School District, Sonoma County. Caldwell	573		
526	An Act in relation to moneys belonging to the State derived from taxes assessed on mortgages. Everett	573	707	853
527	An Act for the relief of Thomas N. Long. Barnes	573	878	
528	An Act to authorize C. C. Bush, late County Judge of Shasta County, to execute a certain deed for town lands of the Town of Shasta. Andrews	573		
529	An Act amendatory of an Act entitled an Act to organize and regulate the Justices Court of the City and County of San Francisco, approved March twenty-sixth, eighteen hundred and sixty-six. Seibe	574		850
530	An Act supplementary to an Act entitled an Act for the relief of insolvent debtors and protection of creditors, approved May fourth, eighteen hundred and fifty-two. Gray	573		
531	An Act in relation to the estate of William Huges, deceased. Sammons	573		
532	Proposed amendment to the Constitution	582		
533	An Act to provide for the payment of deficiency for the support of the State Normal School. Splivalo	587		
534	An Act to amend an Act entitled an Act to amend an Act regulating marriages. Gray	587	714	914
535	An Act to amend an Act entitled an Act concerning common schools in the City of Placerville. Chalmers.	587		
536	An Act in relation to unclaimed baggage. Reed	587	690	
537	An Act to reincorporate the City of Vallejo. Wright	587	750	805
538	An Act to prohibit the hunting or shooting of game within certain private grounds in the County of Butte. De Haven	587	594	710
539	An Act supplemental to an Act entitled an Act to provide for the formation of corporations for the accumulation and investment of funds and savings, approved April eighteenth, eighteen hundred and sixty-two. James	591	723	
540	An Act for the correction of errors and omissions in the official proceedings relative to certain contracts for street work in the City and County of San Francisco. James	591		

Number	TITLE.	Introduced	Passed Assembly	Passed Senate
541	An Act to amend section thirteen of an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy. Hayes	596	620	668
542	An Act authorizing the Board of Supervisors of Mariposa County to pay a certain claim. Wilcox	596	620	710
543	An Act fixing the salary of certain county officers of the County of Alameda and providing for the payment thereof. Crane	596	612	851
544	An Act for the relief of J. N. Walker, formerly Tax Collector of Fresno County. Burckhalter	596	639	763
545	An Act to amend an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties of this State, and to provide for a bounty for the same. Walker	596	620	718
546	An Act to amend an Act entitled an Act to amend an Act restricting the herding of sheep to certain pastures in the Counties of Sonoma and Marin, approved April twenty-first, eighteen hundred and fifty-seven, and the Act amendatory thereof, approved April twenty-eighth, eighteen hundred and sixty, approved March fourteenth, eighteen hundred and seventy. Walker	596		904
547	An Act to appropriate money to the Roman Catholic Orphan Asylum of San Francisco for the support of orphans. Spivalo	597		
548	An Act to amend an Act entitled an Act to establish pilots and pilot regulations for the ports of San Francisco, Mare Island, Vallejo, and Benicia, approved March twenty-second, eighteen hundred and seventy. Spivalo	597	789	
549	An Act authorizing certain parties to take the surplus waters out of the Stanislaus River at Six-Mile Creek Bar, in the County of Calaveras, for agriculture, irrigating, and manufacturing purposes. Woodward	597	816	
550	Proposed amendment to the Constitution of the State of California. Meeker	603		
551	Proposed amendment to the Constitution of the State of California. Meeker	603	702	
552	An Act for the regulation of sailor boarding houses and shipping officers in the City and County of San Francisco. James	613	614	853
553	An Act to prevent hogs from running at large in the Town of Susanville. Sensabaugh	613	747	964
554	An Act to prevent hogs from running at large in the Town of Susanville. Barnes		634	732

Number.....	TITLE.	Introduced.....	Passed Assembly.....	Passed Senate..
555	An Act to regulate the salaries and fix the compensation of the county officers of San Joaquin County. Woodward.....	613	627	850
556	An Act to better define the boundary line between Fresno and Mariposa Counties. Walker.....	614	876	904
557	An Act concerning estrays in the County of Butte. De Haven.....	613	628	
558	An Act to properly define the boundaries of the Town of Antioch, and to extend the same. Galloway.....	613	645	752
559	An Act to amend an Act entitled an Act concerning Courts of justice of this State and judicial officers, approved April twentieth, eighteen hundred and sixty-three. Scibe.....	613		
560	An Act amendatory to an Act entitled an Act for securing liens of mechanics and others, approved March thirteenth, eighteen hundred and sixty-eight. Splivalo.....	629		
561	An Act to authorize the Board of Supervisors of the County of Alameda to audit claims against the road fund of Washington Township in said county. Crane.....	629	672	733
562	An Act to amend an Act entitled an Act concerning roads and highways in the County of Alameda, approved March twenty-fourth, eighteen hundred and sixty-two. Crane.....	629	672	733
563	An Act authorizing the County Treasurer of the County of Alameda to pay certain claims against said county. Pardee.....	629	640	691
564	An Act to provide for the legalization and collection of a special tax to be used in the construction of bridges in the County of Tehama. Ward.....	629	645	752
565	An Act for the better protection of the lands in Swamp Land District Number Two, in Sacramento County. Mott of Sacramento.....	629	782	904
566	An Act for the redemption of the funded indebtedness of the City of Sacramento. Mott of Sacramento.....	629	640	718
567	An Act to authorize the inhabitants on Mormon Slough, in San Joaquin County, to form a reclamation district, and levy taxes therein. Sargent of San Joaquin.....	630	682	915
568	An Act to provide for a street railroad in the Town and County of Napa. Stillwagon.....	630	676	850
569	An Act relating to the sureties upon the official bond of J. W. Dickerson, late County Treasurer of Placer County. Long.....	630		
570	An Act to restore the Great Register of the County of Sutter. Berry.....	630	690	765

Number	TITLE.	Introduced	Passed Assembly	Passed Senate
571	An Act supplementary to an Act entitled an Act to authorize the Board of Supervisors of the City and County of San Francisco to modify the grade of certain streets, and other Acts amendatory, etc., and to provide for the more speedy payment of claims arising under the said Acts. Splivalo	644		
572	An Act to provide revenue for the School Department of the City and County of San Francisco, and other purposes. Wheaton	644	799	838
573	An Act to encourage the planting and cultivation of oysters in certain portions of the Bay of Monterey, and in the tide waters of tributary sloughs of the Salinas River. Bockius	645	787	818
574	An Act authorizing P. Henneberry to remove certain bodies to a public graveyard. Russ	645	672	752
575	An Act to authorize the Board of Supervisors of Humboldt County to provide revenue for certain purposes. Russ.	645	672	752
576	An Act to authorize the Board of Supervisors of Butte County to appoint a Special Policeman. Turner	645		
577	An Act to amend an Act to authorize the County Judges and Probate Judges of this State to hold terms or parts of terms of the County Court and Probate Court in counties other than those for which they were specially elected, approved March thirteenth, eighteen hundred and sixty-eight. Luttrell	650	714	
578	An Act to amend an Act entitled an Act concerning roads and highways in the Counties of Klamath and Del Norte, approved March thirty-first, eighteen hundred and sixty-six. Rector	650	675	851
579	An Act entitled an Act for the relief of the Board of Education of San Francisco, State of California. James	650		
580	An Act to authorize the Board of Supervisors of Plumas County to complete the Red Clover Valley Wagon Road. Barnes	650	676	851
581	An Act to authorize the maintenance of a boom on Elk River, and to remove obstructions from said stream. Russ	650	683	850
582	An Act to authorize the Board of Supervisors of Trinity County to levy a special tax for surveying purposes. Tinnin	650	676	851
583	An Act to regulate the sale of poultry. Barker	650		
584	An Act to incorporate the Town of San Leandro. Crane.	640	654	710
585	An Act to create the County of Donner, to define its boundaries, and to provide for its organization and maintenance. Bell	650		

Number	TITLE.	Introduced	Passed Assembly	Passed Senate..
586	An Act to provide for the collection of certain moneys from the Central Pacific Railroad Company. Whiting.....	651		
587	An Act to change the manner of electing Supervisors in the County of Del Norte, and prescribing the method thereof. Rector	557	768	851
588	An Act to amend an Act to protect agriculture and to prevent the trespass of animals upon private property in the County of Los Angeles, and the County of San Diego, and part of Monterey County, approved February fourteenth, eighteen hundred and seventy-two, and to make the same applicable to the County of San Bernardino. Slaughter.....	657	699	761
589	An Act to provide for the payment of the salaries and fees of the officers of Alpine County. Coleman.....	657	665	818
590	An Act to reincorporate the City of Vallejo. Wright.....	657		
591	An Act to adjust the accounts of Swamp Land District Number Eighteen, Yolo County. Freeman	657	800	795
592	An Act to incorporate the Town of Napa City. Stillwagon.....	657	666	734
593	An Act to provide for the designation of the line of the true meridian in the several counties of the State. Crane.....	657		
594	An Act to fix the salary of the District Attorney of Plumas County. Barnes.....	657	676	763
595	An Act supplementary to the Act of April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento. French.....	657	686	874
596	An Act to establish wards in the Sacramento County Hospital for the maintenance of non-resident indigent sick of said county. Johnston.....	657	691	
597	An Act in relation to the water front of the City and County of San Francisco. Goodall.....	657		
598	An Act authorizing the Board of Supervisors of the City and County of San Francisco to provide suitable rooms, attendants, fuel, lights, and stationery for the Third and Nineteenth District Courts in and for the City and County of San Francisco and the County of Alameda. Splivalo.....	658	676	861
599	An Act authorizing certain persons to improve a portion of Kern River and to erect booms thereon. Burckhalter.....	667	691	848
600	An Act supplementary to the Act of April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento. French.....	667	686	

Number	TITLE.	Introduced	Passed Assembly	Passed Senate
601	An Act to amend section thirteen of an Act concerning roads and highways in the County of Sacramento, approved April second, eighteen hundred and seventy. Hopper	667		
602	An Act to amend an Act concerning roads and highways in the County of Sacramento. Johnston	667	782	
603	An Act to release the claim of the State of California to certain lands in township eleven north, range four east, Mount Diablo base and meridian. Berry	667	742	903
604	An Act to repeal section three hundred of the Penal Code, approved February fourteenth, eighteen hundred and seventy-two, and to repeal an Act for the observance of the Sabbath, approved May twentieth, eighteen hundred and sixty-one. Seibe	667	694	763
605	An Act to withdraw from market the salt marsh and tide lands lying in and around Humboldt Bay, Humboldt County. Russ	667	837	
606	An Act to prohibit the keeping open of bath houses, barber shops, and hair-dressing saloons, in the City and County of San Francisco, to be kept open on the first day of the week, usually known as Sunday. Reed	668		
607	An Act to incorporate the Town of San Rafael, Marin County. Rice	670	694	
608	An Act for the protection of mortgages. Wilcox	670		
609	An Act in relation to the Board of School Trustees of Oakley School District, in Sacramento County. Center	670	691	795
610	An Act to protect the holders of certificates of purchase and patents to the lands of this State issued by the State. Mott of Los Angeles	670		
611	An Act to amend an Act entitled an Act to prevent hunting and shooting on private grounds in the Counties of Alameda and San Mateo, approved March twenty-first, eighteen hundred and seventy. Gray	671		852
612	An Act to define the duties of the District Attorney of Alameda County, and fix his compensation in certain cases. Pardee	671	682	851
613	An Act to add additional sections to the Political Code. Wheaton	672	687	818
614	An Act for the correction of errors, omissions, and defects in the official proceedings relative to certain contracts for street work in the City and County of San Francisco. Wheaton	672		
615	An Act to open and establish a public street in the City and County of San Francisco, to be called Montgomery Avenue, and to take private lands therefor. Seibe	672	799	889

Number	TITLE.	Introduced	Passed Assembly	Passed Senate..
616	An Act validating certain contracts in relation to the excavation of Putah Creek canals, and extending the time of performing the same. Freeman.....	684	763	850
617	An Act extending time to the City Railway Company. James.....	684	698	883
618	An Act for the relief of J. A. Cameron, and to legalize assessments. Aldrich.....	684		
619	An Act to amend an Act entitled an Act in reference to corporations organized in this State for the purpose of mining out of this State, approved March fifth, eighteen hundred and sixty-one. Reed.....	684		
620	An Act supplementary to an Act entitled an Act concerning County Recorders, passed March twenty-sixth, eighteen hundred and fifty-one. Mott of Los Angeles.	684	821	832
621	An Act to authorize the Board of Supervisors of the County of San Mateo to fix the compensation of any county officer of said county for services the payment for which is not otherwise provided for by law. Baird.	684	697	
622	An Act to authorize certain persons to improve Pescadero and Butano Creeks, and to erect booms thereon. Baird.....	684	768	
623	An Act for the relief of R. G. Gilmore. Barker.....	684		
624	An Act to amend an Act entitled an Act to regulate fees and salaries of officers and defining their duties in the County of El Dorado, and other matters relating thereto, approved March fifth, eighteen hundred and seventy. Burklage.....	684	707	805
625	An Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one. Gray.....	684	880	
626	An Act to amend an Act entitled an Act to regulate fees of office and salaries of certain officers, and to repeal certain other Acts in relation thereto, approved March fifth, eighteen hundred and seventy. Lee.....	684		
627	An Act to authorize the Trustees of Red Bluff School District, in Tehama County, to borrow money for the maintenance of the public school therein. Ward.....	685	703	850
628	An Act to provide for the registration of citizens in the City and County of San Francisco, and the enrollment of all the legal voters within said city and county, and the prevention and punishment of frauds affecting the election franchise. Goodall.....	685		
629	An Act supplementary to an Act entitled an Act to incorporate the Town of Cloverdale, in Sonoma County. Caldwell.....	685	706	765

Number.....	TITLE.	Introduced.....	Passed Assembly.....	Passed Senate..
630	An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight. Days.....	683	742	832
631	An Act to authorize William A. Findley, of Yuba County, State of California, to remove certain bodies to a public graveyard. Lofton.....	685	703	795
632	An Act to authorize inhabitants on the Calaveras River and vicinity, in San Joaquin County, to form a reclamation district and levy taxes therein. Sargent of San Joaquin.....	685	698	
633	An Act supplementary to an Act entitled an Act to provide terminal depot grounds for the Terminal Central Pacific Railroad Company, approved March twenty-eighth, eighteen hundred and sixty-eight. Pardee.....	685	705	718
634	An Act to authorize John Ram or S. C. Long, of Yuba County, State of California, to remove certain remains of deceased persons. Edgar.....	685	703	850
635	An Act relating to the salary and duties of the Assessor of Tehama County. Ward.....	701	715	850
636	An Act supplementary to an Act entitled an Act to provide for the protection of certain lands in the County of Sutter from overflow, approved March twenty-fifth, eighteen hundred and sixty-eight. Berry.....	701		851
637	An Act supplemental to an Act entitled an Act to incorporate the City of Sacramento. French.....	701	707	850
638	An Act in relation to jurors and witnesses in Los Angeles County. Ellis.....	701	715	
639	An Act to authorize the citizens of Sacramento to provide themselves with a better supply of water. French.....	701		822
640	An Act amendatory of an Act entitled an Act relating to the Board of Supervisors of the City and County of San Francisco, and more particularly defining its powers and duties, approved March thirtieth, eighteen hundred sixty-eight. Reed.....	701		
641	An Act to take preliminary steps for calling a convention to amend, remodel, or propose a new Constitution for the State of California. Days.....	712	834	
642	An Act to authorize road districts in San Joaquin County to levy special tax. Woodward.....	712	745	805
643	An Act to authorize Isaac Bluxome to remove from his private property on the Rancho de Mircelacon, in Sonoma County, certain dead bodies to a public graveyard. Caldwell.....	712	722	850

Number	TITLE.	Introduced	Passed Assembly	Passed Senate..
644	An Act to provide for the support of men belonging to the Paid Fire Department of the City and County of San Francisco who may be disabled in the performance of their duties. Reed.....	712	842	883
645	An Act supplementary to an Act entitled an Act to provide for the incorporation of colleges, approved April twentieth, eighteen hundred and sixty. Goodall.....	713		
646	An Act to prevent the wholesale destruction of certain fish in the Bay of San Francisco and the adjacent bays and waters. Splivalo	712	769	
647	An Act to amend an Act entitled an Act amendatory of and supplementary to an Act to provide for the construction of canals for drainage and reclaiming certain swamp and overflowed lands, approved April tenth, eighteen hundred and sixty-two. Burckhalter.....	713	722	765
648	An Act to authorize to Supervisors of Kern County to levy a special tax for the County General Fund. Burckhalter	713	722	883
649	An Act supplementary to an Act entitled an Act to regulate the settlements of the estates of deceased persons, passed May first, eighteen hundred and fifty-one. Hayes.....	713	804	883
650	An Act to fix the terms of the County Court of the County of Monterey. Hayes.....	713	723	850
651	An Act to provide for the education of the children in the State of California. Wright.....	713	814	
652	An Act to provide funds for the further reclamation of Swamp Land Districts Numbers Fifty and Fifty-four, in Sacramento County. Johnston.....	713	742	933
653	An Act to annex the territory now comprising the County of Klamath, to the Counties of Siskiyou and Humboldt. Russ.....	713		
654	An Act in relation to the water front of the City and County of San Francisco. Goodall.....	713		
655	An Act to authorize the Board of Supervisors of the City and County of San Francisco to appropriate money for the improvement of Washington Plaza, in said city and county. Scibe.....	713	769	850
656	An Act to amend the Penal Code. Gray.....	713	723	
657	An Act for the encouragement of agricultural interests of this State. Baird.....	713		
658	An Act to amend an Act entitled an Act to provide for the management and sale of the lands belonging to the State, approved March thirty-first, eighteen hundred and fifty-eight.....	720	804	915

Number.....	TITLE.	Introduced.....	Passed Assembly.....	Passed Senate...
659	An Act supplementary to and amendatory of the Act to protect agriculture, and to prevent the trespassing of animals upon private property, approved March twenty-sixth, eighteen hundred and sixty-six. Harvey.....	720	776	904
660	An Act to put into effect certain parts of the Code, and provide for their publication. Wheaton.....	720	728	753
661	An Act to amend an Act entitled an Act concerning roads and highways in the County of Sacramento, approved April second, eighteen hundred and seventy. Hoppe...	720	786	883
662	An Act to protect the wages of labor and the salaries and fees of subordinate officers. Barnes.....	720	769	914
663	An Act concerning certain officers in Napa County, prescribing the duties and regulating the fees and salaries. Stillwagon	720	768	
664	An Act to amend an Act entitled an Act to amend an Act entitled an Act to create and organize a Fire Department for the Town of Mokelumne Hill, in Calaveras County, approved April twenty-fourth, eighteen hundred and sixty-two, approved March twenty-sixth, eighteen hundred and sixty-eight. Schnack.....	720	668	805
665	An Act to define the fire limits of the Town of Mokelumne Hill, in Calaveras County, and to provide for the support of the Fire Department thereof. Schnack.....	720	768	805
666	An Act in relation to the revenue. Barklage.....	720	781	860
667	An Act supplementary to an Act entitled an Act supplementary to an Act entitled an Act to establish the Industrial School Department of the City and County of San Francisco, approved April fifteenth, eighteen hundred and fifty-eight, approved February fifteenth, eighteen hundred and sixty-four. McCullough.....	720	840	915
668	An Act to amend an Act entitled an Act to regulate and license places of public amusement, approved April thirteenth, eighteen hundred and sixty-three. McCullough.....	720		
669	An Act to legalize certain acknowledgments. Freeman....	721	854	
670	An Act to amend an Act entitled an Act to authorize the Board of Trustees of Wood and School District, in the County of Yolo, to borrow money for certain purposes, and provide for the payment of the same, approved February twenty-fourth, eighteen hundred and seventy-two. Freeman.....	720	769	795
671	An Act supplementrry to an Act entitled an Act to provide for the incorporation of colleges, approved April twentieth, eighteen hundred and fifty. Baird.....	721	769	

Number	TITLE.	Introduced	Passed Assembly	Passed Senate
672	An Act to authorize the County of Yuba to issue sixty thousand dollars of bonds for the purpose of constructing, repairing, and improving wagon roads and bridges in said County of Yuba. Bradley	729	767	818
673	An Act to authorize the conveyance of a certain lot of land in the City and County of San Francisco to the Ladies' Protection and Relief Society. Meeker	721	769	851
674	An Act to authorize the County Clerk of the City and County of San Francisco to appoint a Chief Clerk. Spilvalo	729	802	
675	An Act to provide for the better security of the lives of the operators of machinery propelled by steam. Wilcox	729	789	
676	An Act to authorize Joseph Bridger, guardian of the minor heirs of Robert S. Carlisle, deceased, to sell certain real estate in the County of Santa Clara, State of California. Slaughter	729	835	
677	An Act to encourage the production of Angora or Cashmere goat fleece in this State, and the manufacture of fabrics therefrom. Bayley	729		
678	An Act to better define the duties and fix the compensation of the Superintendent of Public Schools in Solano County. Wright	730	758	814
679	By request—An Act to provide for the publication of the laws. Crane	729		
680	An Act authorizing the Board of Supervisors of Merced County to levy a special tax for road purposes. Sensabaugh	729	789	883
581	An Act to encourage the destruction of squirrels and gophers in the Counties of Santa Barbara and San Luis Obispo. Cooper	730	789	
682	An Act to provide funds for the City of Oakland. Pardee.	730	746	805
683	An Act to amend an Act entitled an Act concerning street railroads, approved March twenty-ninth, eighteen hundred and seventy. Pardee	730	744	764
684	An Act providing for the survey of the line forming a portion of the southern boundary of Lassen County. Barnes	730	789	889
685	An Act for the relief of the Sixth Regiment Infantry, California State National Guard. Seibe	730		
686	An Act concerning the office of Sheriff of the City and County of San Francisco. Seibe	730	854	920
687	An Act to amend an Act entitled an Act to authorize the Board of Supervisors of Yuba County to construct a bridge across the Yuba River, and roads connecting the same with the high lands, approved March tenth, eighteen hundred and sixty-eight. Edgar	730	750	832

Number	TITLE.	Introduced	Passed Assembly	Passed Senate..
688	An Act to legalize the levy of the special school tax in Solano County for the fiscal year of eighteen hundred and seventy-one and eighteen hundred and seventy-two. Wright	730	789	
689	An Act to better define the duties and fix the compensation of the Superintendent of Public Schools in Solano County. Wright	730	789	
690	An Act in relation to County Judges. De Haven	730	880	
691	An Act defining a lawful and partition fence in the County of Butte. De Haven	730		875
692	An Act declaring Clear Lake, in Lake County, navigable. Stillwagon	730	744	
693	An Act in relation to foreign corporations. Wheaton	730	821	914
694	An Act to provide for the improvement of roads and highways in the City and County of San Francisco. Wheaton	730	840	914
695	An Act in relation to collection of street assessments in the City and County of San Francisco. Wheaton	730	840	
696	An Act granting leave of absence to the District Attorney of Yolo County. Freeman	730		
697	An Act concerning the military of the State of California. Spilvalo	730	748	
698	An Act relating to an Act to aid the Mercantile Library Association of the City and County of San Francisco. Center	740		
699	An Act to appropriate money for the per diem of officers and clerks of the Assembly at the nineteenth session of the Legislature. Wheaton	740	755	920
700	An Act for the relief of purchasers of State lands. Berry.	740	789	818
701	An Act to amend an Act to regulate proceedings in civil cases in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one. Schrack	740	789	
702	An Act for the relief of parties who have paid, under protest, commutation money for alien passengers landed in this State. Goodall	740		
703	An Act to vacate certain streets, alleys, and market places, in the City and County of San Francisco, and to donate the same and other tide lands belonging to the State of California to said City and County of San Francisco for commercial purposes, and other matters relating thereto. Gray	746	775	832
704	An Act relating to Swamp Land District Number Seventy, Sutter County. Berry	746	757	851

Number	TITLE.	Introduced	Passed Assembly	Passed Senate.
705	An Act to amend an Act entitled an Act to incorporate the City of Marysville, approved March third, eighteen hundred and fifty-seven, and Acts amendatory thereof. Bradley	747	758	805
706	An Act to amend an Act entitled an Act to repeal an Act to declare and regulate the power of the Board of Supervisors of the City and County of San Francisco, to take private lands for certain public improvements, and to prescribe the manner of its execution, approved April sixth, eighteen hundred and sixty-four, approved March thirtieth, eighteen hundred and sixty-eight. Gray	754		933
707	An Act to amend section eight hundred and fifty-nine of the Code of Civil Procedure. Splivalo	754	802	
708	An Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one. Splivalo	755	803	
709	An Act for the better protection of land in San Joaquin County from overflow. Sargent of San Joaquin	754		
710	An Act authorizing the District Judge of the Third Judicial District, to hear and decide certain cases heretofore tried in said district. Spencer	754		
711	An Act concerning the indigent sick. De Haven	754	798	
712	An Act to amend an Act to provide for the management and sale of lands belonging to the State, approved March twenty-eighth, eighteen hundred and sixty-eight. Freeman	754	837	914
713	An Act to legalize certain proceedings of the Board of Supervisors of Merced County. Sensabaugh	760		
714	An Act concerning the times and places of holding the District and County Courts in and for the County of Siskiyou. Luttrell	760	773	795
715	An Act amending an Act concerning the Harbormaster of the City and County of San Francisco, approved March twenty-fifth, eighteen hundred and fifty-seven. Goodall	760	840	
716	An Act to modify the grades of certain streets in the City and County of San Francisco. Goodall	760		
717	An Act to encourage the fine arts. Harvey	760		
718	An Act to empower the Board of Supervisors of Klamath County to levy a special tax for certain purposes. Rector	760	784	904

Number	TITLE.	Introduced	Passed Assembly	Passed Senate..
719	An Act to define the powers and duties and to limit the compensation of certain officers, and to reduce public expenditure and taxation in the County of San Mateo. Baird	760		
720	An Act to repeal an Act to accept from the United States Government the grant of the Yosemite Valley and Big Tree Grove. Wilcox	761		
721	An Act to submit to the qualified electors of Sutter County the permanent location of the county seat of said county.	760	834	900
722	An Act for the relief of J. Johnson. Munday	760	841	875
723	An Act amendatory of an Act entitled an Act to provide revenue for the support of the Government of this State, approved May seventeenth, eighteen hundred and sixty-one, and the Acts amendatory thereof and supplementary thereto. Barklage	760		
724	An Act to provide for the opening, widening, and extending of streets in the City of San José. Spencer	760	809	933
725	An Act to authorize the Supervisors of Lake County to issue bonds for the construction of a public road in said county. Stillwagon	760	780	
726	An Act to legalize applications heretofore made for the purchase of lands belonging to this State, and to confirm the title of purchases under such applications. Harvey.	770	785	814
727	An Act to authorize R. W. Steene to construct and maintain a wharf at Soda Bay, in the County of Lake. De Haven (by request of Stillwagon)	783	793	
728	An Act to amend an Act entitled an Act to amend the city charter of Los Angeles, approved February twentieth, eighteen hundred and seventy-two. Mott of Los Angeles	783	791	812
729	An Act for the purchasing of supplies for State Prison purposes. Rector	783	816	
730	An Act for the support of certain cemeteries in Tehama County. Ward	783	840	
731	An Act to authorize the Board of Supervisors of Yolo County to levy and the Collector to collect a special tax for Plainfield School District. Freeman	783	840	
732	An Act to amend an Act to prescribe rules for the government of the State Library, approved March eighth, eighteen hundred and sixty-one. Harvey	783	879	
733	An Act in relation to the office of Treasurer of the City and County of San Francisco. Jost	783		
734	An Act to amend an Act entitled an Act to incorporate the Town of Redwood City, approved March twenty-seventh, eighteen hundred and sixty-eight. Baird	783	841	883

Number	TITLE.	Introduced	Passed Assembly	Passed Senate.
735	An Act amendatory of an Act entitled an Act amendatory and supplemental to an Act entitled an Act to incorporate the Town of Redwood City, approved March twenty-seventh, eighteen hundred and sixty-five, approved March twenty-fourth, eighteen hundred and seventy. Baud	783	841	883
736	An Act concerning certain duplicate bonds of the funded debt of eighteen hundred and fifty-seven. Baud	783	841	914
737	An Act authorizing the Board of Trustees of the Town of Benicia to issue certain bonds in lieu of bonds lost and destroyed. Spencer	784	880	889
738	An Act to provide for the payment of certain road indebtedness of Tuolumne County. Bacon	784	841	920
739	An Act to provide for opening or widening and repairing streets in the Town of Santa Barbara. Cooper	784		
740	An Act to provide for the issue of bonds in Reclamation District Number One Hundred and Eight. Freeman	796		
741	An Act to authorize the Board of Supervisors of Kern County to purchase a certain toll road. Burckhalter	796	856	
742	An Act to enable certain persons to bring suit for damages sustained by the diversion of the waters of the American River into the Sacramento River by the Levee Commissioners of Sacramento City. Freeman	796		
743	An Act to define the boundary line between the Counties of Yolo and Sacramento. Freeman	796		
744	An Act concerning the payment of teachers' salaries in the public schools in the City and County of San Francisco. Reed	796		
745	An Act to amend an Act entitled an Act to provide for the erection of a City Hall in the City and County of San Francisco, approved April fourth, eighteen hundred and seventy. McCullough			
746	An Act to provide for the better protection of certain lands in San Joaquin County from overflow. Sargent of San Joaquin	806	810	933
747	An Act to amend an Act entitled an Act to amend an Act concerning roads and highways in the County of Alameda, approved March twenty-fourth, eighteen hundred and sixty-two, approved ——— twenty-third, eighteen hundred and seventy-two. Crane	812	828	861
748	An Act to incorporate the Pacific College of Homeopathic Medicine. Meeker	812		

Number	TITLE.	Introduced	Passed Assembly	Passed Senate..
749	An Act to provide for the disposal of certain suits now pending in the District Courts of the City and County of San Francisco, and to relieve certain owners of incumbered real estate of double taxation which the Act passed April fourth, eighteen hundred and seventy, did not relieve. Reed	812		
750	An Act granting the right of way in the Counties of Lake and Mendocino for the construction of a wagon road. Stillwagon	812	828	
751	An Act to abate the squirrel nuisance, and to encourage the destruction of other injurious animals in Contra Costa County. Galloway	815	820	
752	An Act to provide for the payment of money expended by the Hibernia Greens, a military company organized under the laws of the State of California. Splivalo	815		
753	An Act to amend an Act approved March twenty-ninth, eighteen hundred and seventy, entitled an Act to amend an Act entitled an Act to authorize the formation of corporations to provide the members thereof with homesteads or lots of land suitable for homestead purposes. French	815		
754	An Act fixing times and places of holding the District and County Courts in and for the County of Nevada. Bell.	818	830	883
755	An Act to provide for the payment of interest on Trustees' orders against certain swamp land districts. Johnston.	819	886	920
756	An Act to protect settlers on State lands. Berry	819		578
757	An Act to locate the county seat of Merced County. Sensabaugh	834	846	
758	An Act investing the widow with the management and ownership of the family estate on the decease of her husband. Days	833	880	
759	An Act conferring on woman eligibility to official positions in the management of public schools. Days	833		
760	Proposed amendment to the Constitution of the State of California. Days	833		
761	An Act in relation to the salary of the Treasurer and Auditor of the County of Butte. Turner	833	833	875
762	An Act to provide for the protection from overflow by Putah Creek of certain lands in the Counties of Yolo and Solano. Freeman	833	846	875
763	An Act granting to certain persons therein named the right to lay a railroad track along certain streets in the Town of Watsonville, Santa Cruz County, and along certain highways in the County of Monterey. Gibson.	834		

Number	TITLE.	Introduced	Passed Assembly	Passed Senate.
764	An Act to encourage the production of cane sugar. Sensabaugh	834		
765	An Act authorizing the printing of one thousand copies of the transactions of the State Medical Society. Stillwagon	834		
766	An Act to repeal an Act entitled an Act to aid the Mercantile Library Association of the City and County of San Francisco in paying its indebtedness, approved February nineteenth, eighteen hundred and seventy. Barklage	834	853	915
767	An Act to confer further powers upon the Board of Supervisors of the City and County of San Francisco. Gray.	834	881	914
768	An Act to quiet title to certain lands in the County of Yolo. Freeman	842	847	933
769	An Act to make appropriations for the support of the civil government of the State of California for the twenty-fourth and twenty-fifth fiscal years. Wheaton, from Committee on Ways and Means	952	862	900
770	An Act to provide for the appointment of a Deputy Sheriff in Alameda County. Splivalo, by request, for Pardee	852	881	
771	An Act to amend an Act entitled an Act to reincorporate the City of Vallejo, approved March twenty-seventh, eighteen hundred and seventy-two. Wright	852	855	874
772	An Act amendatory of an Act entitled an Act to encourage the destruction of squirrels and gophers in certain counties in this State and to provide for a bounty for the same. Galloway	852	852	900
773	An Act supplementary to an Act entitled an Act to authorize and provide for the payment by the County of Amador to the County of Calaveras, or its assigns, of interest on certain indebtedness due from the County of Amador to the County of Calaveras, approved March thirty-first, eighteen hundred and sixty-six. Eagan	855	855	874
774	An Act concerning the Board of Education of the City and County of San Francisco. Splivalo	855		
775	An Act to amend an Act entitled an Act to authorize and direct the County Judges of the several counties of this State to execute certain trusts in relation to town lands. Mott of Sacramento	862	863	
776	An Act in relation to the Clerk of the Board of Supervisors of Sacramento County. Johnston	862	871	883
777	An Act to regulate the expenditure of the road fund of Solano County. Wright	873	893	

Number	TITLE.	Introduced	Passed Assembly.....	Passed Senate..
778	An Act to provide for the protection of certain lands in Colusa County. Ward.....	873	884	
779	An Act in regard to public thoroughfares in the City and County of San Francisco. Meeker.....	873	879	889
780	An Act to provide for redistricting the City and County of San Francisco into wards of Supervisors District in accordance with the distribution of the population thereof. Wheaton.....	882		
781	An Act to amend an Act entitled an Act to protect agricultural interests in El Dorado County. Chalmers.	882	901	915
782	An Act to settle and pay the claim of D. W. Gelwicks for printing and binding certain catalogues for the use of the State Library. Andrews.....	893	893	904
783	An Act to amend section three thousand seven hundred and thirteen of the Political Code of the State of California. Wheaton.....	893	893	915
784	An Act to fix the fees and salary of the Sheriff of Mariposa County. Crane.....	893		

ASSEMBLY CONCURRENT RESOLUTIONS.

ASSEMBLY CONCURRENT RESOLUTIONS. [See Assembly Journal.]

Number	TITLE.	Introduced	Passed Assembly	Passed Senate..
1	Relative to appointment of committee of three to confer with similar committee of Senate on ceremonies of the inauguration. Mott of Sacramento.....	113	113	211
2	Relative to printing of bills and furnishing reporters of the press with copies. Luttrell.....	130		
3	Relative to furnishing the Governor of the State with copies of all printed bills. Luttrell.....	131	131	149
4	Relative to the printing in Spanish the Reports of the Controller, Treasurer, Surveyor General, and Superintendent of Public Instruction. Cooper.....	132	132	182
5	Relative to adjournment. Pardee.....	159	159	182
6	Relative to the City Hall Commissioners. Wilcox.....	159	159	194
7	Relative to the appointment of a committee of three from each House to select proposals for translating laws into Spanish. Luttrell	165	165	194
8	Relative to requesting the return of Assembly Bill one hundred and three for correction from hands of the Governor. Crane.....	221	221	237
9	Relative to appointment of a clerk for the State Prison Committee of the Senate and Assembly. Crane.....	222	222	248
10	Relative to appointing a committee from both Houses to proceed to San Francisco in behalf of the Presentation Convent. Little.....	235		
11	Relative to a steamer mail service on the southern coast. Dannals	263	307	
12	Relative to reception of Grand Duke Alexis. Splivalo.....	293	293	
13	Relative to instructing our Senators in Congress and to request our Representatives to procure the passage of an Act to provide for a survey of our unsurveyed mountain lands. Caldwell.....			
14	Relative to appointing a Clerk by the Joint Committee on Political Code. Luttrell.....	335	335	355
15	Relative to payment of expenses of inauguration. Galloway			396
16	Relative to appointment of Clerk for the Joint Committee on Hospitals. Stillwagon.....	347	347	367

Number	TITLE.	Introduced	Passed Assembly	Passed Senate
17	Relative to requesting Governor to return Assembly Bill forty-nine. Wheaton	355	355	376
18	Relative to printing certain reports. De Haven			
19	Relative to the Constitution of the State of California. Eagan			
20	Relative to authorizing the Enrolling Clerk of the Assembly to correct the title of Assembly Bill one hundred and ten. Mathers	445		505
21	Relative to correction of an error in Assembly Bill one hundred and ten. Wilcox	479	479	
22	Relative to requesting Governor to return Assembly Bill fifty-one. Daniels			
23	Relative to payment of J. Johnson for services rendered. Munday			
24	Relative to printing of report of Joint Committee on State Prison. Crane	557		558
25	Relative to requesting Governor to return Assembly Bill three hundred and thirty-eight. Sargent of San Joaquin			618
26	Relative to printing in Spanish and distributing Governor's Message. Mott of Los Angeles	613	613	753
27	Relative to requesting the Governor to return Assembly Bill two hundred and nineteen. Walker	643		
28	Relative to printing Report of Fish Commissioners. Bell	671		
29	Relative to public lands. Days	759		
30	Relative to requesting the Governor to return Assembly Bill five hundred and sixty-six to the Assembly for the correction of a clerical error. Mott of Sacramento	759	759	
31	Relative to recommending pardon of certain criminals. Crane	793	877	904
32	Relative to authorizing the Sergeant-at-Arms to furnish the California Immigrant Union with one thousand copies of the Report of the State Surveyor General. Barker	815		838
33	Relative to requesting the Governor to return to Assembly, for correction of a clerical error, Assembly Bill six hundred and seventy. Freeman	849		874
34	Relative to authorizing and directing the State Printer to print one thousand copies of the annual report of the transactions of the State Medical Society. Stillwagon	850		
35	Relative to printing of Report of Joint Committee. Days	872		883

Number	TITLE.	Introduced	Passed Assembly	Passed Senate.
36	Relative to requesting the Governor to return to the Assembly Assembly Bill three hundred and eighty-two, for correction of a clerical error. Gray.....			883
37	Relative to paying John Breuner two hundred and eighty-four dollars for chairs. Committee on Account and Expenditures.....	887		
38	Relative to correction of a clerical error. Shannon.....			907
39	Relative to requesting the Governor to return Assembly Bill seven hundred and sixty-two for correction, and authorizing the Enrolling Clerk to make the correction. Freeman	903		907
40	Relative to paying E. H. Pomeroy one hundred and fifty dollars for services rendered clerk of committee. Days.	911	911	914
41	Relative to swamp and overflowed lands in California. Days.....	911	911	
42	Relative to the disposition and sale of mineral lands by Congress.....	908		

ASSEMBLY JOINT RESOLUTIONS.

ASSEMBLY JOINT RESOLUTIONS. [See Assembly Journal.]

Number	TITLE.	Introduced	Passed Assembly	Passed Senate..
1	Relative to a mail route from Red Bluff. Luttrell.....	50		
2	Relative to mines, and instructing Senators and Representatives in Congress. Luttrell.....	131		
3	Relative to instructing our Senators and Representatives in Congress to obtain the adoption of such treaty regulations and legislation as shall discourage Chinese immigration. Andrews.....	131	217	473
4	Relative to instructing our Senators and Representatives in Congress to urge the establishment of a weekly mail from Millville, in Shasta County, to Lake City, Siskiyou County. Luttrell.....	132	254	331
5	Relative to the establishment of a tri-weekly mail from the Town of San Diego to Julian, in County of San Diego. Dannals.....	132	217	260
6	Relative to instructing our Senators and Representatives in Congress to urge the establishment of a mail route from Weaverville, Trinity County, to Trinity Centre, Trinity County. Tinnin.....	136	161	
7	Relative to granting bounty to the First Battalion Mountaineers California Volunteers. Luttrell.....	181	882	
8	Relative to asking Congress to propose an amendment to the Constitution of the United States changing time and place of electing United States Senators. Days.....	181	320	
9	Relative to asking Congress to change the land laws of the United States for actual settlers. Days.....	181		
10	Relative to providing a ratification of the Fifteenth Amendment to the Constitution of the United States. Johnston.....	195	336	
11	Relative to safety of citizens by building a road in Siskiyou and Humboldt Counties. Luttrell.....	195		
12	Relative to abolishing the duty on quicksilver. Everett...	199	305	350
13	Relative to instructing our Senators and requesting our Representatives in Congress to urge upon the Congress of the United States the adoption of such legislation as will authorize the collection of a foreign miners' tax. Andrews.....	235	439	
14	Relative to providing for the ratification of the Fourteenth Amendment to the Constitution of the United States. Days.....	263	336	

Number	TITLE.	Introduced	Passed Assembly	Passed Senate
15	Delivered to Mr. Rector, (delegation from Humboldt, Klamath, Del Norte, and Siskiyou.) Luttrell			
16	Relative to occupation of Hoopa Valley, Klamath County, as an Indian reservation. Rector	298	550	812
17	Relative to instructing our Senators and requesting our Representatives in Congress to urge the establishment of a tri-weekly mail from Cache Creek, in Yolo County, to Capay, in said county. Freeman	339	390	436
18	Relative to Yosemite Valley claims. Wilcox	364	364	
19	Relative to extending time of payment for public lands. Burckhalter		452	710
20	Relative to fortifications in San Diego Harbor. Dannals			904
21	Relative to governmental control of the telegraph. Luttrell.		407	
22	Relative to authorizing the Secretary of State to destroy certain canceled claims. Spencer			396
23	Relative to making San Diego a port of entry. Dannals.		498	505
24	Relative to a mail route from Red Bluff. Luttrell			440
25	Relative to a semi-weekly mail route from Red Bluff, Tehama County, to Shasta City, Shasta County. Andrews		435	490
26	Relative to the culture of the grapevine. Chalmers			659
27	Relative to asking Congress to reserve public lands in California for actual settlers only, under the homestead and preëmption laws, and for a more rapid extension of the surveys of public lands in this State. Barker		568	710
28	Relative to asking Congress for an appropriation to improve Humboldt Harbor. Russ		645	
29	Relative to establishing a weekly mail from Fort Jones, in Siskiyou County, to Orleans Bar. Rector		690	
30	Relative to establishing a monthly mail between San Francisco and the Island of Tahiti. Goodall		722	
31	Relative to opposing the passage of any Act granting Yerba Buena or Goat Island to the Central Pacific Railroad. Center			
32	Relative to protecting inhabitants of Klamath, Humboldt, and Del Norte, from Indian spoliations. Rector		791	
33	Relative to authorizing the Controller of State to deliver certain vouchers in his office, relative to the indebtedness of the general Government to the State of California to the Commissioners within named. Wilcox			814

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